

Clerical
Feb. 12. 1708

SYNODUS ANGLICANA:

Or,

The Constitution and Proceedings

OF AN

ENGLISH CONVOCATION,

SHOWN

From the *ACTS* and *REGISTERS*
thereof, to be agreeable to the *Principles*

OF AN

Episcopal Church.

A P P E N D I X.

1. Three Registers of the Upper-house, in
1562. in which the xxxix
Articles were agreed upon.
1640. under Archb. *Land.*
1661, &c. in which the *Com-*
mon-Prayer was *Revis'd.*
2. The two entire Journals of the *Lower-*
House, in 1586 and 1588.

LONDON: Printed for *A. and J. Churchill*
at the *Black Swan* in *Pater-noster-row.* 1672.

THE PREFACE.

THE unhappy Disputes in the last Convocation, were too plain a prejudice to our Church and Order, to suffer any man who had a common respect for either, to stand by unconcern'd. But in studying proper Remedies, the great difficulty was, to find out where the Disease lay; that is, from which House the Encroachments came, and upon what foundation a sure Judgment thereof might be made.

The REASON of the thing had been offer'd, as one way of fixing the Right: but that (I found) might be urg'd plausibly on either side. For an Advocate of common knowledge and dexterity, which part soever he undertake, cannot in Causes of this Nature want a Variety of that sort of Colours; but they are little regarded in Law, nor ever urg'd in a case of Legal Right, that can be supported by Arguments and Authorities from Custom or Statute. Such Suggestions about the Reason and Consequence of things, are useful

towards the prudent Settlement of new Laws; but can have no part in the determination of questions about ancient Rights. In this imperfect State of things, many Failings and Inconveniences will ever attend the wisest Establishments; and when Designs are set afoot to invade or undermine them, these Possibilities of mischief are always made the Instruments of raising jealousies and discontents among the Generality; who are hardly brought, either to see the mischief of too much Liberty, or the necessity of lodging an ultimate Trust some-where, in order to the peace and safety of any Society.

The Proceedings in PARLIAMENT have been also urg'd, to justify some late Measures in Convocation; but whatever be the virtue of a Parliamentary-Relation, the very persons who contend for it, disown its being a Rule in the present Disputes; by confessing that the Clergy have not a right to all the Privileges of the Commons in Parliament, and yet assigning no reason why some may be claim'd upon that foot more than all the rest.

There is, however, one known custom in Parliament, that may well deserve to be consider'd in Convocation, viz. the Recourse they have, and the Deference they pay, in all contests about Privilege, to the Records and Journals of former Parliaments. For both

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our Civil and Ecclesiastical Meetings are Ancient Constitutions ; each whereof has all along proceeded by establisht Methods of its own : And as Custom has , in a Legal sense, markt-out the Privileges of the two Houses in each of these Assemblies ; so, by all Prudential Rules, our Security lies , not in making new Experiments, but in the Continuance of Methods which have been try'd and establisht upon the practice of former times, and are not become disagreeable to our own by any new or singular Circumstance. And even this last is a Consideration that could have very little place in Ecclesiastical Government ; wherein the different Orders and Degrees, with the proper Rights of each, are establisht upon a primitive foundation, not to be remov'd at the pleasure of Men ; and much less, if that ancient foundation appear to be confirm'd and supported by the additional authority of its own Usages as a Particular or National Church. And it ought certainly to be matter of Joy to every good man, to find such a double Security to the Honour and Purity of the Church of which Providence has made him a Member, as is the Concurrence of a Civil with its Ecclesiastical Claim to the Usages of Antiquity.

Resolving therefore to make the strictest Enquiry, how far the Church of England is entitl'd to this Blessing in the great point

of Holding her Synods, I enter'd upon a diligent Search into all the remaining Registers of Convocation. I begun with that of 1356. (the Acts whereof are the first we have) and descended in order to our own times; according to the Catalogue of Convocation-Acts, subjoyn'd to this Preface. All these (I say) I have distinctly examin'd since the disputes in Convocation began; and am the rather oblig'd to make this particular Profession of it, because a late Paper entitl'd the Expedient, p. 17. c. 2. studying to weaken the Authority of my Arguments for the Archbishop's Right to Continue, says, they are only the Substance of what pass'd in the Debates of the House, reduc'd by me into Form. I shall always have a just honour for that House and the Debates of it; but must beg leave to think, that the Registers of Convocation (the only Rule in all disputes about Privilege) are a Guide somewhat surer: Which Guide and no other I follow'd, as in examining that Case of Continuations, so also in drawing the States upon those other Heads, which I formerly promis'd, and do now Present to the Reader. The truth is, from my first entrance upon this Examination of the Registers, in order to form a true judgment about the differences depending, I have industriously laid by the late Accounts of both Sides concerning the Nature of an English Convocation; resolving

Right of
the Arch-
bishop, p.
113, 135.

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ving to give way to no Impressions, but what should come immediately from the Registers themselves, where alone the State of the Controversy is apparently lodg'd.

The Reflections upon the Paper I just now mention'd (the Expedient I mean) were intended for a part of the Preface to this Book; but proving somewhat too large, they are already sent abroad in a Separate Paper.

As for the present Work; I am sensible that the same Accounts in the way of a regular History, would have been much more Entertaining; but it was not my business to divert, but to instruct and convince: and I was sure, no description I could frame, would either have a Weight equal to the very Words of the Registers, or give so lively a View of Proceedings upon all Points, as this regular Deduction of Authorities through the Successive Ages.

It was, I confess, a mighty Satisfaction to me (as it must be to all the friends of Episcopacy) to find the Proceedings of an English Synod so agreeable to the Constitution of an Episcopal Church; however some late Books had mis-represented them. And as to the Publication of what I found, it is accounted for in the Introduction, which contains the general Occasion and Design of the Chapters that follow it.

A scruple has been rais'd by some Members

of the Lower House, how far the Registers before the Reformation are to be regarded in the Methods of Holding an English-Synod. But as nothing passed then, which could any way affect the usual Intercourse between the two Houses when met and enter'd upon business; so after the Reformation, they continued the self same Ways of acting, that were establish'd before; as these Deductions under the several Heads do abundantly show. For tho' many of our Accounts since the Reformation, are only Abridgments of the Acts, the Originals whereof were burnt in 1666. yet even in these, and much more in the others that remain entire, we have clear and numerous testimonies of the Clergy's continuing to Act, in all respects, with the self same Deference and Subordination to their Metropolitan and Bishops.

I doubt not, but an objection formerly made, will now be renew'd, against the Authorities from the Upper House Registers, as insufficient Witnesses in the Concerns of the Lower. They are so, as to the Debates there, but not as to the Matters Debated; many of which, and those the most considerable, have originally come from the Upper House, with particular Instructions how to proceed upon them: and the same have been also constantly return'd thither, and together with the Applications of all kinds from the Lower House, have made a part of the Register of the Upper.

Now

Now, our present Concern is not about the methods of debating in either House separately, but the usual Communication between the two Houses: Which being maintain'd by the going up of the Prolocutor, alone or attended, voluntarily or as sent for by their Lordships; the Reports they bring, the Petitions they make, with the Orders they receive (i. e. all the matters from whence we infer these methods of their corresponding, and the authority of my Lords the Bishops in the Proceedings of Convocation) are enter'd of course in the Books of the Upper House. And the Heads of which the Lower-house-Books chiefly consist, viz. the Motions made Below, with their Debates upon them, and the appointment of Committees of their own for special purposes, would not (if we had them entire) be of any great moment in the present Points. For these immediately concern the Relation between the two Houses, and turn not upon the proceedings of each Separately, but upon the Manner of the Intercourse and Correspondence between them.

The methods of the Journals of both Houses, with the Matters usually enter'd in each, will be best understood by the Acts of five Convocations, added by way of Appendix to this Book, as a Pattern to future Proceedings. The three first, in 1562, 1640, and 1661. belong

belong to the Upper-house; and the two others of 1586 and 1588. are the Acts of the Lower. These last are the only entire Journals of that House now remaining: and I made choice of the three others, as they are accounts of Transactions while all the Original Registers were in being, and yet so lately (two of them at least) that the Establishment of different Usages since that time, will not be pretended. Add to this the importance and variety of the matters transacted in each, viz. the xxxix. Articles in 1562. the Canons in 1640. (against which no exceptions were ever taken, as to the Methods of Proceeding in Convocation;) and the Review and Establishment of the Common Prayer, with many other things of publick note and concern in 1661. and the three following years.

That of 1562. is certainly the entire Register of the Upper-house, but whether the Book which remains be the very original, I cannot directly say. Those of 1586, 1588, and 1640. are the Original Books deposited (according to custom) in the Registry of the See of Canterbury: The Book of 1640. contains also an Account of the second Convocation in the same year: but such were the Confusions of the Kingdom and the Miseries of the Church, that no Business could be done in it, save only the Opening, and then Continuing it, in the common Form; after the Archbishop (Sess. 3.)
had

had committed the determination of certain controverted Elections to the Prolocutor and other Members of the Lower-house. The last also is the very Original Register of the Upper-house from May 8. 1661. to Sept. 19. 1666. inclusive; mostly in the hand of Mr. Fisher (Actuary of the Lower-house in 1640. and Deputy-Register to the Upper in 1661.) with an Attestation in form to every Session. It was lately communicated to his Grace the Lord Archbishop of Canterbury, by the Reverend Mr. Nurse, Executor to a Gentleman in whose House Mr. Fisher dy'd; and by his Grace, to the Bishops and Clergy in Convocation.

See the Page cited
p. 114. of
this Book.

The Method in which they are now published, is this: The beginning and ending of every Session in the Upper-house is usually the same: at the beginning, they express the place of meetings, the attestation of the Notary, the names of the Archbishop, or his Commissary, and of the Bishops present, with the accusom'd Prayers; concluding always with the Continuations at length. As to all these therefore (which are pure matters of form and a repetition of the same words, in the same Order) I have thought it sufficient to give a Specimen of them at the beginning of each, and then to contract them; especially in 1661. &c. where the Sessions are more numerous: But the Reader may rest assur'd that the like Forms run through the whole. 'Tis true,
the

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the Names of the Persons present sometimes vary; but they can be of no use, except on some un-foreseen and very extraordinary Occasions: and whenever these happen, recourse may be had to the Originals themselves. In 1661. the Bishop of London usually Presided in the Archbishop's stead, and is always meant by the style Dominus when it stands single; the names of the other Commissaries, who were but few, being constantly express'd.

But the Forms in the two Journals of the Lower-house, are various; and having withal made so great a part in the Dispute about Continuations or Adjournments, I have printed both the Introduction and Conclusion of each Session, at length; without omitting any thing, except the Names of the Persons every day present.

IN perusing these Acts both of the Upper and Lower House, the Reader will observe all along, How the Synodical Business is mark't-out by the Metropolitan and Bishops, as Governours of the Church; and so much of it consider'd, debated, and prepar'd by the Inferior Clergy, as their Lordships from time to time have recommended to their Care: That the Presbyters of former times have ever receiv'd and pursu'd those Directions with the utmost readiness, and then taken care to offer their Applications and Reports with all the marks of Duty and Humility:

mility: That therefore the publick Concerns of our Church have in English Convocations been transacted by rules and methods purely Ecclesiastical, that is, by a Synod consisting of Metropolitan, Bishops, and Presbyters, all contributing their Endeavours towards the same common End, and within the Bounds assign'd by Antiquity to their respective Orders and Degrees in the Church of Christ : That however the Bishops and Presbyters have their Separate Places of Debate, and may not (under that general Appearance) be unlike the two Houses of Parliament, yet as to their Independence in Acting or any degrees of it, there is no such Resemblance as has been pretended between the Proceedings of Parliament and Convocation: That, on the contrary, the chief part of the Prolocutor's Business, is to convey to the Presbyters the Pleasure of their Metropolitan and Bishops, and to represent to their Lordships the Answers, Opinions, and Petitions of the Lower-House; and so, for ever to prevent the Independence of the Clergy, and preserve the Original Union of the Synod, as to the matter, method, order, tendency, and progress of the Debates.

These (with many more testimonies of an English Convocation's being in reality what all the Friends of our Church ought to wish it, an Ecclesiastical Synod) will naturally occur to every one, who shall peruse these Acts with impartiality and an ordinary attention: And
Readers,

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Readers, under that conviction from the practice of former Convocations, may be allow'd to wonder upon what Model some late Proceedings and Principles were form'd; and to reflect seriously upon the Design, or at least the natural Tendency, of them. The Archbishops, Parker, Whigitt, Laud, Juxon, and Sheldon, (under whom the five Convocations were held) are Names distinguish'd in this Church by an eminent Zeal in maintaining its Constitution and the Rights of the Clergy. And, now the Proceedings of the last Convocation are made publick, let every Man be his own judge, whether our present Metropolitan and Bishops have not acted by the self same Rules: and he will then see, what Spirit has govern'd those Men, who from thence have taken occasion to inveigh so freely against their Lordships, as endeavouring to Overthrow the Rights of the Church and Clergy.

That part of the Controversie which relates to the Proceedings of Convocation when met, began not before the Opening of the last in 1700. The Nation had been industriously prepossess'd with false Notions of the Constitution and Proceedings of an English Synod: but the Alteration of Opinions about the Right of Continuing, upon a plain State thereof from the Registers, was evident enough; and shows, that the Generality both of Clergy and Laity are dispos'd to make as impartial a judgment upon all other Heads, when the Practice of former Times shall be clearly laid before them. For the Information of such, five Journals are here publisht Entire, and the Form and Proceedings of an English Convocation particularly describ'd, not only upon the Authority, but in the very Words, of all the remaining Acts. I pray God they may in any measure tend to the Removal of our unhappy Differences, and the future preservation of Peace and Unity in the Synods of our Church. A

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CATALOGUE

Of the Remaining

ACTS and REGISTERS

O F

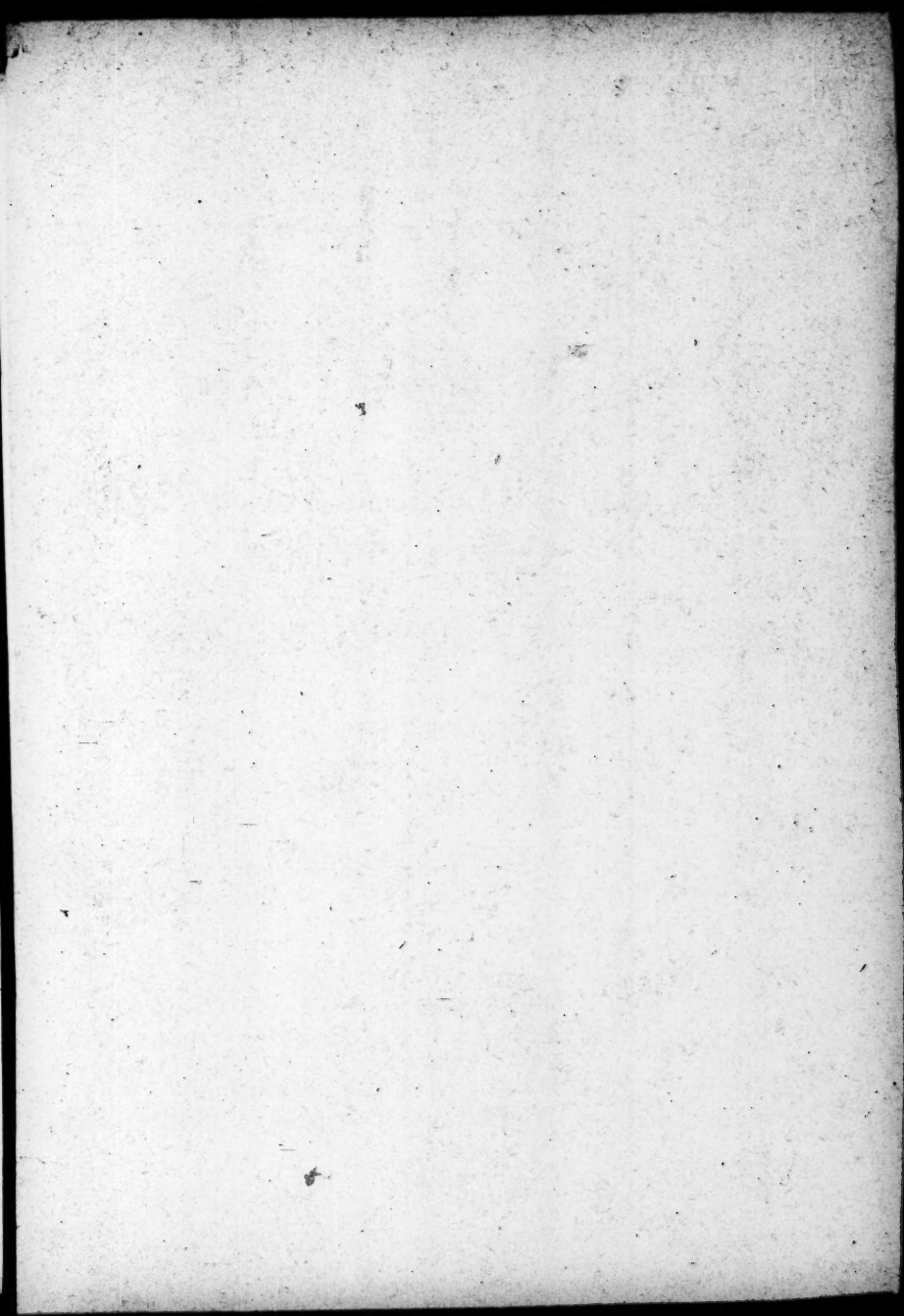
CONVOCATION;

From whence the
Following *HISTORY* is drawn.

The <i>Years</i> in which they were held.	The <i>Days</i> on which they were open'd.	The <i>Registers</i> where- in the <i>Acts</i> are en- ter'd.
1356 —	May 16. —	Islip, fol. 117. a.
1369 —	Jan. 21. —	Wyttlesfey, f. 17. b.
1371 —	Apr. 24. —	Wyttlesfey, f. 40.
1373 —	Dec. 1. —	Wyttlesfey, f. 63.
1376 —	Febr. 3. —	Sudbury, f. 33. b.
1377 —	Nov. 8. —	Sudbury, f. 44. a.
1379 —	May 9. —	Sudbury, f. 55. a.
1380 —	Dec. 1. —	Sudbury, f. 72. a.
1383 —	Dec. 2. —	Courtney, f. 78. a.
1384 —	May 20. —	Courtney, f. 79. a.
1384 —	Dec. 1. —	Courtney, f. 79. b.
1385 —	Nov. 6. —	Courtney, f. 83. b.

A Catalogue of the remaining Acts

- 1386 ——— Nov. 5. — Courtney, f.84.b.
 1387 ——— Febr. 26. — Courtney, f.73.a.
 1388 ——— Oct. 12. — Courtney, f.74.a.
 1391 ——— Apr.17. — Courtney, f.75.a.
 1396 ——— Febr. 19. — Arundel, f.44.a.
 1394 ——— Febr. 5. — Reg.4.Epp. f.195.b.
 1399 ——— Oct. 6. — Arundel, f.51.a.
 1400 ——— Jan.26 ——— Arundel, Vol.2 f.1.b.
 1402 ——— Oct. 21 ——— Arundel, Vol.1.54.a.
 1404 ——— Apr. 21. — Arundel, 57.a.
 1404 ——— Nov. 24. — Arundel, f. 62. b.
 1406 ——— May 10. — Arundel, 65.a.
 1408 ——— Jul.23. — Arundel, f. 71.a.
 1408 ——— Jan. 14. — Arundel, Vol.2. f.7.b.
 1409 ——— Febr. 17. — Arundel, f. 15.a.
 1411 ——— Dec.1. — Arundel, f.22.a.
 1412 ——— Mar.6. — Arundel, f. 4. b.
 1415 ——— Nov. 18. — Chichley, Vol.2.fol.1.a.
 1416 ——— Apr.1. — Chichley, 3. a.
 1416 ——— Nov.9. — Chichley, 6.a.
 1417 ——— Nov. 29. — Chichley, f.10.a.
 1419 ——— Oct. 30. — Chichley, f.17.a.
 1421 ——— May 5 ——— Chichley, f.23.b.
 1422 ——— Jul. 6. — Chichley, f.30.b.
 1424 ——— Oct. 12. — Chichley, f.33.b.
 1425 ——— Apr. 23. — Chichley, f.40.a.
 1426 ——— Apr.15. — Chichley, f.65.a.
 1428 ——— Jul. 5. — Chichley, f.69.a.
 1429 ——— Oct. 19. — Chichley, f. 77.b.
 1430 ——— Febr.19. — Chichley, f.81.a.
 1432 ——— Sept. 15. — Chichley, f.86.b.
 1433 ——— Nov.7 ——— Chichley, f.93.a.
 1434 ——— Oct.7. — Chichley, f.99.a.
 1437 ——— Apr. 29. — Chichley, f.101.a.
 1438 ——— Apr. 28. — Chichley, f.103.a.
 1439 ——— Nov. 21. — Chichley, f.109.b.





and Registers of Convocation.

- 1444 ——— Oct. 19. — Arundel, Vol.2. f. 28.a.
 1452 ——— Febr. 7. — Kemp. f. 219. a.
 1460 ——— May 6. — Bourchier, f. 12. a.
 1463 ——— Jul. 6. — Bourchier, f. 18. a.
 1480 ——— Mar. 21. — Bourchier, f. 26. a.
 1486 ——— Febr. 13. — Morton, f. 33. a.
 1488 ——— Jan. 14. — Morton, f. 41. a.

¶ Thus far, the *Acts* are distinctly enter'd in the Registers of the Archbishop : but about this time they began to have separate Books for the affairs of *Convocation*.

- | | | |
|----------|------------|--|
| 1529 ——— | Nov. 5. — | } Large <i>Extracts</i> out of
the <i>Upper-house</i>
<i>books</i> , except those
of 1553. and 1554.
which are taken
from Journals of
the <i>Lower-house</i> . |
| 1532 ——— | Nov. 5. — | |
| 1536 ——— | Jun. 9. — | |
| 1541 ——— | Jan. 30. — | |
| 1547 ——— | Nov. 5. — | |
| 1553 ——— | Oct. 6. — | |
| 1554 ——— | Apr. 3. — | |
| 1554 ——— | Nov. 13. — | |
| 1555 ——— | Oct. 22. — | |
| 1555 ——— | Dec. 10. — | |
| 1557 ——— | Jan. 1. — | |
| 1558 ——— | Jan. 24. — | |

- 1562 ——— Jan. 21. — The Register of the
Upper-house, entire.
 1584 ——— Nov. 24. — Index of the *Upper-*
house Register.
 1586 ——— Oct. 16. — } Two Journals of the
 1588 ——— Nov. 13. } *Lower-house*, in the
Registry at *Doctors-*
Commons.

A Catalogue of the remaining AEs, &c.

1586	—	Oct. 16.	} Index of the <i>Upper-</i> <i>house</i> Registers, in the hands of Dr. <i>Atterbury.</i>
1588	—	Nov. 13.	
1592	—	Febr. 20.	
1601	—	Oct. 18.	
1603	—	Mar. 20.	
1605	—	Nov. 6.	
1606	—	Nov. 19.	
1614	—	Apr. 6.	
1620	—	
1623	—	Febr. 13.	
1625	—	May 18.	
1625	—	Febr. 7.	
1627	—	Mar. 18.	

640 { 1^a Conv. Apr. 14. } Entire Registers of the
 { 2^a Conv. Nov. 4. } Upper-house, and Mi-
 nutes of the Lower,
 in the Office at Do-
 ctors Commons.

1661, &c. — May 16. — The original Register
of the *Upper-house* :
and *Minutes* of the
Lower at *Doctors*
Commons.

1689—Nov. 6.—The original Register of
the *Upper-house*, at
Doctors Commons.

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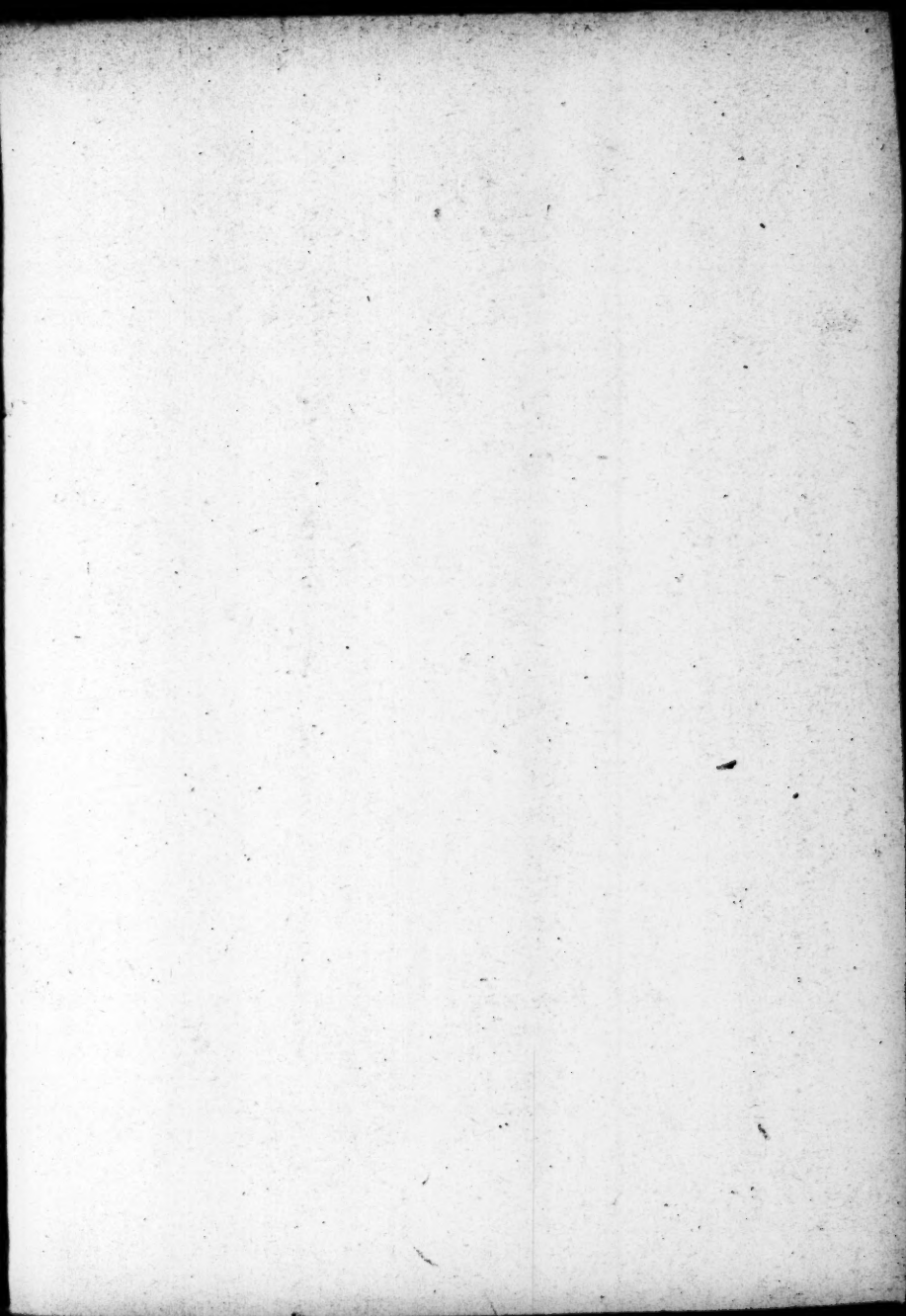
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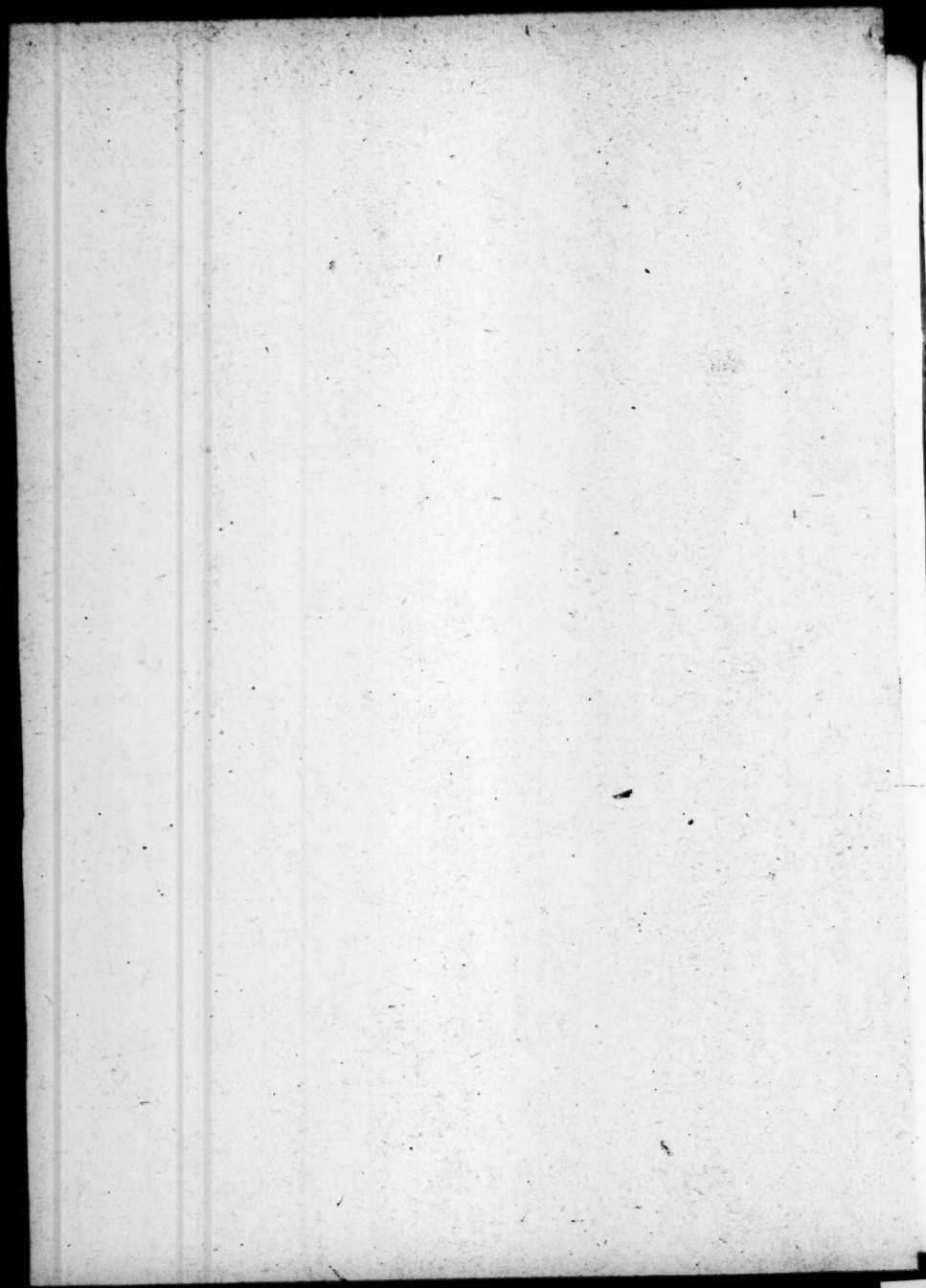
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I

T H E
CONSTITUTION
A N D
PROCEEDINGS
O F A N
English Convocation, &c.

I N T R O D U C T I O N .

The Occasion and Design of the following Discourse.

Among the pretences that have been fram'd of late, to gain the Clergy in Convocation some new Exemptions from their Metropolitan and Bishops, no one has been insisted on so much as a *Parliamentary Capacity* suppos'd to belong to them.

B

And

The Occasion and Design

And it was an artificial Management in those who set the design a-foot, to make this the *chief ground* of their Claim: not only because such Exemptions could have no Colour from their *Ecclesiastical Capacity* and the Constitution of the *Primitive Synods*; but also because an Alliance to the *Parliament*, in *Constitution*, was the most likely way to lead the generality of Men to take the measures of their *Proceedings* from thence. Every one knows, that the Parliament consists of two Houses; and they have withal an Opportunity of observing out of the publick *Votes* the *Separate Methods* whereby the Commons Act and Govern themselves: And little more of the nature of a *Convocation* being ordinarily understood than that It also consists of *two Houses* debating a-part, this, without recourse to the *Primitive Times* or opportunity to know our own *Established* methods of acting, prepar'd Men's minds to favour the late Claims of some of the Clergy to such Privileges as the *Commons* enjoy. In which Error they have been industriously confirm'd, by the Endeavours of the same Persons, to bring the *Parliament* and *Convocation* to such an alliance as was never thought of before the publication of some late Books.

The late Principles of Parliamentary Alliance.

Afterb. Rights, &c.

That the Members of the Lower-House are the *Clergy Commoners*, and *Spiritual Commons*; that the whole Convocation *subsists* by the *King's-Writ*, and not by the *Archiepiscopal Mandate*; that the Clergy thereof are *ATTENDANT* on the *Parliament*, as the Parliament has a Right to be *ATTENDED* by them; is the ordinary Language of a late Book; which yet is pretended to be written in Defence of the Church's *Liberties*, and censures the *Principles* of its Adversary, as of a *Slavish tendency*. From this Principle, others of the same kind

kind relating to their Constitution and Privileges, have since sprung ; That the Model of an English Convocation was, doubtless, taken from the Model of an English Parliament, That an English Synod was form'd upon the Plat-form of an English Parliament, That the Synodical Rights peculiar to the Lower-Clergy of the Church of England, are owing to a Conformity to the Parliament, That the distinct Capacity of the Lower-house of Convocation was deriv'd from an imitation of the Lower-house of Parliament.

Answer to 1st Letter p. 2. Col. 2.

Ibid. p. 6.

c. 1. Nar. p. 6.

Nar. p. 8.

The two last Passages acknowledge in effect, that some of the Privileges they are already in possession of, were unknown to the more ancient Synods : And as to the other Exemptions for which they contend, if they had any countenance from those Early Times, *Thau* (I suppose) would be thought a more decent Plea in a Case of Ecclesiastical Government, than laying their model in the imitation of a Parliament. For I take it to be new Doctrine, that a late Author delivers with great assurance, to take off the ill appearance of Contending, and that with so much warmth, for Ecclesiastical Rights upon a Secular Foundation : I am sure, and am ready whenever I am call'd upon, particularly to prove, that the more our Church shall resemble the State, in her temper and manner of Government ; the nearer still will she approach to primitive Practice. This is a Position that will require Proof, when he is at leisure to go about it ; not being half so evident (in my opinion) as that the Rights and Privileges of the House of Commons, if vested in the Lower-House of Convocation, would give the Clergy a co-ordinate Power with their Bishops, and so remove our Church still further from primitive Practice. But all along on one side of this Controversie, the Church seems to signify no more than the Inferiour Clergy, exclusive

Theillconsequence thereof to Episcopacy.

Atterb. Rights, &c. p. 138.

The Occasion and Design

of the Metropolitan and Bishops; as if the giving *Presbyters* new degrees of *Exemption* from their Ecclesiastical Superiors, were the way that *primitive Practice* has trac'd out, for the perfection of an *Episcopal Church*.

An Opposition to the *Liberties of the Church* has an odious sound; and sounds no worse than it really is, when the *Bishops* as well as *Inferior Clergy*, acting regularly and peaceably within their proper Spheres, are allow'd to be the constituent Members of that Church. But the present claim of *Parliamentary Rights*, is only, in other Words, a diminution of the Canonical Authority of the Archbishop and Bishops over their Clergy; which being diminished as far as Parliamentary Exemptions would do it, must evidently destroy the Subordination of *Presbyters* to their Bishops; that is, it must bring us by degrees to a state of *Presbytery*. Now, no Law has determin'd how far these, which they call their *Parliamentary Rights*, may be carried; or which is the same thing, how near the Claims upon that Foundation may bring us to *Presbytery*. The late Narrative of the Lower-House, speaking of their *distinct Capacity* as deriv'd from an Imitation of the Lower-House of Parliament, does indeed say, that *they are far from presuming to set themselves upon a level with that honourable Body, or to pretend to equal Privileges thence with respect to the Lords, the Bishops*. But they no where tell us, *how far* they will or may carry their Claims upon the foot of that Relation, nor assign any reason why it does not as well entitle them to all the other Privileges of that august Assembly, as to those they contend for at present. And the Friends of *Episcopacy* will hardly be content that our Constitution be perpetually expos'd to Ruin, whenever

ever a majority of the Lower-House happens to be out of humour, and in a disposition to withdraw their Obedience, or invade the Rights of their Superiors, under a general pretence of their *Parliamentary* Relation. That they enjoy several Rights, unknown to the Presbyters of the *primitive* Times, is not deny'd; nor ought to be forgotten by those, who not content with that *addition* of Power and Privilege, were making larger Encroachments upon their Ecclesiastical Superiors; and which is worse, upon a Foundation that will raise them to what further degrees of *Independence* the Clergy may at any time be drawn to attempt, either out of a personal dislike of their Bishops, or a secret enmity to the Character it self.

These new Claims were set a-foot (with what design, or upon what grounds, I cannot say) in the Convocation of 1689. In the sixth Session whereof, the Upper-House drew up an Address of Thanks to his Majesty, for his *Royal Licence*, and a *Gracious Message* which he had sent that day to the Convocation. The Form being agreed on, was (according to Custom) sent down to the Lower-House for their consent; but they, instead of giving their consent, or signifying the *Amendments* they conceiv'd necessary, return'd an Answer to this effect, "That they had resolv'd to Address in a Form of their own framing; and presently after, upon their Lordship's disapproving that Answer, they declared their Resolution more openly, "That they intended to Address separately: *Intendebant Supplicem Libellum separatim presentare*. An expression very agreeable to the Constitution of a *House of Commons*, but never heard of before in *Convocation*: And as the Practice was wholly

These Innovations begun in 1689. Reg. Sup. Domus.

New, so was it resisted and over-rul'd by the Right Reverend the present Lord Bishop of London, then President, and his Brethren the Bishops.

Ibid.

In the Tenth Session, the Prolocutor having receiv'd certain *Amendments* from the President to be consider'd by the Lower-House, immediately ask'd the Question, Whether, in case the Lower-House agreed to those, their Lordships intended to make any more? Which would not perhaps have been thought a very proper or decent Offer, even from One House of *Parliament* to the other, in a like Case: And being so much more improper in *Convocation*, especially as coming from the *Lower* to the *Upper-House*, would have justified their Lordships in a Resentment less mild and gentle, than they were pleas'd to express: *Præses, &c. declaravit questionem per eum propositam fuisse valde Irregularem, & talem cui nullo modo respondere queat aut tenetur.*

Ibid.

Session 13th, The President proposes to the Prolocutor the *naming a Committee* of the Lower-House, to meet a select number of the Upper, in order to inspect the Acts of both Houses. Upon this a double *Irregularity* ensu'd; (so I take the liberty to call them now, because they will be proved such hereafter in their proper place:) the first, in the *Prolocutor*, who return'd an answer, that I dare say no President ever met with before from a *Prolocutor*, *se non posse ad id consentire sine Consensu Cætus domus Inferioris Convocationis prius habito*: The second, in the House, whose resolution was, not to appoint any Committee for that purpose, *durante recessu Convocationis*: As if by the establish'd Rules of Convocation, they had a negative upon the President in the appointment of Committees, or had any further share in it, than to receive his Directions, and, when the

the *number* and the *Persons* are left to their discretion, to confirm the Prolocutor's Nomination.

In that Convocation also, the new practice of sending the Resolutions and Opinions of their House, by other hands than the Prolocutor's, was first attempted; but presently taken notice of as an *Innovation*, and check'd by the President and Bishops.

I produce not these, as testimonies of any *Design* in the Clergy of that time to transgress the Rules of Convocation, or to gain new Privileges to their House. Tho' it may be, some of the Members *then* had this notion of *Parliamentary* Rights in their Eye; and the manner of *holding an English Convocation*, not being near so thoroughly consider'd as since it has been, the taking some of their Measures from the Proceedings in *Parliament* might (under that imperfect knowledge of things) be a pardonable Error. But the observation I would make upon these Practices, is, That they were plainly enough an *Imitation* of the Methods in the house of Commons; and being so, shew how the very *beginnings* of such an Imitation tend to divide and *separate* the Synod, and introduce a *co-ordinate* Power of Presbyters with their Bishops; and that therefore the safety of our *Episcopal Constitution*, at this juncture, depends upon a timely and stedfast opposition to those *Parliamentary Claims*, with the Establishment of all Proceedings in Convocation upon the only true bottom, the *current usage of former Convocations*, as contain'd in the remaining Registers of either House. These have been diligently examin'd since the year 1689. and being so opposite to the Claims that were then made (as will be shown at large from the Registers themselves) it might have been hop'd that some of the more inquisitive Members would have come together the last Convocation, in a

The tendency of Parliamentary Claims to a co-ordinate Power.

Some new
Claims of
the last
Lower-
House.

disposition to *recede* from those groundless pretences. But whether they had not thoroughly examin'd the Books, or whether they suffer'd themselves to be misled by one whose Interest it was to draw a majority of the Clergy to act upon Principles that he had publickly advanc'd; whatever (I say) was the Cause, 'tis certain in Fact, that they were far enough from revoking the *Innovations* attempted in 1689. So far, as upon the same Foundation to proceed to new Claims of *Independence*, as little warranted from the *Usage* of Convocation, and tending equally, if not more, to set up the *Co-ordinate* Power we are complaining of, and to destroy the fundamental Constitution of an *English Synod*. Such are, *The Power they pretend over their own Members; Their sitting and acting in a Synodical Way, without their Metropolitan and Bishops; Their proceeding to Resolutions upon matters of the highest importance, without the previous knowledge and directions of the Upper-House; Their refusing to return their Answer in Writing, and to appoint Committees, when requir'd by the President, &c.* with other steps towards such an *Independence* from their Bishops, as the *Commons* in Parliament are possess'd of, with relation to the *Lords*. And if this must be their standing Pattern, and their *Parliamentary Capacity* a certain refuge whenever their Claims exceed the *Customs of former Convocations*; how far they will go I cannot say, nor will I judge with what *Intention* they pursue Measures so opposite to the State of the primitive Church; but this I am sure of, that the same Foundation upon which their *late Claims* are grounded, will equally *justify* them in many more; that being once introduced would make the Frame of an *English Convocation* as inconsistent

sistent with Episcopacy, as the profess'd Enemies thereof can desire.

It will be objected, that the Persons who at present are in those *Levelling* Measures, have not formerly been thought in the *Presbyterian* Interest, and that now also they are more open and bitter than most other Men in their Invectives against them, and remarkably *loud* in a Concern for the Church.

All this is readily acknowledg'd, and 'tis no new thing with *frail* Mankind (such especially who are uneasie under Government) to rail at those the most, who are in the *possession* of what themselves most desire. But *Words* are empty Testimonies in comparison of *Actions*; and the hardest Names they can find for that Sect, will be no Conviction to *Them* nor *Us*, either that these endeavours to lessen the Character of Bishops, are not an evident Service to *their* Cause, or that such Invasions by Presbyters upon the primitive Rights of *Episcopacy*, are not an evident undermining of *our* Establishment.

But when I speak of the *primitive Rules*, I would not be understood to propose the forms of the more *ancient Synods*, as the measure of my future reasonings upon the Privileges either of Bishops or Clergy in an *English Convocation*; but only to prevent its being thought, that any of the Powers *they* now claim, and the Bishops deny, are so much as pretended to receive support from the Condition of Presbyters in the *primitive Church*. So far from this, that many of their real *Privileges* peculiar to the Clergy of this Nation, and now grown into *legal* Rights, are much younger than the first Accounts we have of a Convocation properly so call'd; such are, *Their debating in a separate Body*; *Their having a standing Prolocutor*

The design of this Book, to settle their Proceedings upon the Custom of Convocation.

of

The Occasion and Design

of their own, The share they have in framing *Canons and Constitutions*, Their Negative upon the Archbishop and Bishops in Synodical Acts of an Ecclesiastical Nature; and even their right to be summon'd in the present Form, or for Ecclesiastical Purposes. For their Civil Property could not be dispos'd of, but by their own consent; and the necessity of having this, gave them a Negative upon the Bishops in Subsidies, which was then the chief business of Convocation; the *Canons and Constitutions* of the Church being for many Ages after constantly made in Synods, consisting only of the Archbishop and his Provincial Bishops. But the Affairs of the Church, as they came to be transacted in Convocation, fell under the *Rules and Methods* that had been establish'd there upon Civil Accounts: By which means, the Inferiour Clergy came into the same share in the Ecclesiastical, that they had enjoy'd in the Secular Business; and as Custom has given them a legal Claim to several Privileges of that kind, unknown to the Primitive Presbyters, or even to the Presbyters of any other Episcopal Church at this Day; so (be their original what it will) it is no part of my Design to call in question any of their Claims, that the remaining Acts of Convocation will warrant. Their want of Authorities from the primitive Times, with the lateness of their coming to a share in the *Canons and Constitutions* of our own Church, and the secular Original of the Title they now have to bear a part in framing and passing them, will be a general Reason with all unprejudic'd Men why they should at least acquiesce in these, and not endeavour to build higher upon that secular Foundation. But in the present Controversie, I freely pass by all these disadvantages, and desire only that every Point may be determined by the

the

the *Constitution* and *Customs* of Convocation; resolving neither to assert any *Authority* to the Upper-House, nor deny any *Privileges* to the Lower, but as the Proceedings of former Convocations establish the first, and prove all Pretensions to the second *groundless* and *illegal*. Nor do I propose to have the Reader depend upon my *Affertions* or bare *Representations* of things; but upon all Points that are either made a Question already, or can possibly bear one, the Evidences shall be produc'd at large; that so every Reader may be his own Judge, and none be able to contradict the Positions laid down, but by first denying the Authority of the *Registers*.

All proofs
from the
Registers
themselves.

My accounts may perhaps seem too *minute* and *particular* to some, who are already skill'd in *Convocation* Affairs; but it is not for their Use that I write this, but for the sake of the *Generality*; many of whom, Eminent in *other* parts of Learning, may without reproach be presum'd *Strangers* to a Subject, that has so lately come under Consideration. Which will also be a fair Apology for their having been mis-led into a favourable Opinion of some Measures, not to be warranted by the *Practice* of Convocation; if they shew themselves ready to retire upon a clear Conviction from proper Authorities. In the producing of which, my *multiplying* Testimonies of the same kind, and to the same purpose, may possibly be thought a fault; but if it be, they who have so openly deny'd Truths establish'd upon Evidences so plain and *numerous*, are answerable for it.

In Truth, the Errors and Prejudices arising from the notion of a *Parliamentary Body*, have been wrought into Men's Minds with so much Art and Diligence, that nothing under *Originals*, and a variety of *Authorities* from thence, can
hope

The necessity of
citing Authorities
at large

The general Design
of this
Book.

hope to dispossess them; nor will it upon any less Testimony be thought possible, that Persons in *Holy Orders* should contend so earnestly for meeting and acting in a *Civil Capacity*, about matters of an *Ecclesiastical Nature*; if they had any Pretence in *Law or Custom*, to meet and act under the Character or Appearance of a *Sacred Synod*: Especially when Subsidies, the great Business of a *Secular Nature* that ever belong'd to the Convocation, are not now granted in it. And since, even after the business of it is become purely *Ecclesiastical*, the Endeavours to make it a *Civil Meeting*, have been so remarkable: my design, in the following Papers, is to do Right to its Constitution, by restoring it to all the Spiritual Liberties and Advantages it may justly claim by the Laws of the Land, and its own perpetual Usage: From which, as convey'd to us by the *Acts* themselves, I will shew in a *plain and naked Relation* of Matters of Fact, That an *English Convocation*, however laid under some Restraints from the Civil Constitution, is far from being so much transform'd into a *Civil Meeting*, as has been pleaded of late; That in the *Summoning, Opening, and Acting*, it appears what it is, an *Ecclesiastical Synod* of Bishops with their Presbyters, and neither a *Parliamentary Body* on the one hand, nor an Assembly of *Presbyters* on the other; That however the Papists slander the *English Reformation*, as if it had chang'd our Church into a Civil Constitution, yet 'tis evident (against all the Endeavours of some among our selves, to help the Church of *Rome* in that Objection) that, as to the *Nature* of our Synods at least, it left them in the same *Ecclesiastical State* as it found them.

To

To proceed regularly in this Design, it must be all along observ'd, what I hinted before, that the Corruptions which have been endeavoured of late in an *English Convocation*, are, in general, the Diminution of the Canonical Authority of the Metropolitan and Bishops, and the Clergy's claiming such Exemptions from that Authority, as makes the whole Body look more like an *English Parliament*, than a *Sacred Synod*. To this purpose it has been pleaded, *That the Convocation was divided into two Houses, in conformity to the Parliament: That the Prolocutor is President of the Lower-House, as the Archbishop is of the Upper: That the Acts and Declarations of both, are only the Effect of the Order or Consent of each House respectively: That the Prolocutor governs the Time of the Lower, in as full a manner, as his Grace does that of the Upper, i. e. with the Consent of the House: That their Debates are manag'd Independently from their Lordships: That they have a general Negative upon the Upper-House: That in virtue thereof, they have a Right to deny the Appointment of Committees, and even a sight of their Journals (in which, by the way, they exceed their Pattern; the Journals of the two Houses of Parliament being mutually open to the Members of each, at all times and upon all occasions): That without the Knowledge or Directions of their Lordships, they can enter upon and proceed in business of the highest Importance; and if any Point happen, that in the judgment of the Upper-House may be most conveniently Debated in Writing, they can insist upon a free Conference as the fittest Method, and if that be deny'd, are under no Obligation to be farther accountable to their Lordships for any of their Practices or Proceedings: Add to these, the Power they claim over their own Members, upon which they can require their Attendance,*

Nar. p.6.

Answ. p 9.
c.2.

Nar.p.17.

Nar.p.61.

Nar. p 3.

Nar.p.50.

Nar.p.49.

The Occasion and Design

tendance, and (according to the known practice of the last Convocation) *can discharge them from it by a Vote or Resolution of the House*; with that other Claim which has been so much insisted on, *their Right to adjourn to different Days, from the Metropolitan and Bishops*, and to sit and act on these Days as a *House*.

In these Claims and Practices, I say, we have the view of an *English Parliament*, but lose that of an *Ecclesiastical Synod*, consisting of a Metropolitan, Bishops, and Presbyters. By these Rules, we see, the Debates (as to the *matter, manner and time*) are all *separated* at the pleasure of the Inferior Clergy; and as the Archbishop and the Upper-house are made to resemble the Speaker of the House of Lords and the Lords Temporal, so (to compleat the Parallel) the Prolocutor and the Lower-House (that is, as they term themselves, the *Spiritual Commons*) answer to the House of Commons and their Speaker. However, such Comparisons, if they went no further than *Names*, or the *general Appearance* of the two Bodies, might be innocent enough; but when upon these the Claims of new *Privileges* begin to be founded, and such Privileges too as are an apparent diminution of the *Metropolitcal and Episcopal Authority*, separating the Synod and raising the Presbyters by degrees to a *co-ordinate Power*; then the Parallel is no longer safe, but the Governors of the Church, and all that love our *Episcopal Constitution*, are concern'd to enter upon proper Measures for the Preservation of it. And these, in our present Circumstances, I conceive to be, the opposing to those *new attempts* the Authority of *former Convocations*, and describing from thence (*i. e.* from the only true Rule) the Practice and *Proceeding* proper to each House.

House. Which will not only shew, that their Lordships have insisted upon no Power but what their Character and the Usage of Convocation fully justify, and that therefore the Clergy's Claims of *Exemption* from it are not to be warranted; but will also discover to the World how they have been impos'd on by those, who have grounded such Claims upon an imaginary Alliance between the Parliament and Convocation; two Bodies that will appear to be widely different both in Constitution and Proceedings. And since that difference (as I said before) consists chiefly in the *Authority* which belongs to the Metropolitan and Bishops over the Inferior Clergy and their Proceedings; 'tis my design to shew out of the Records themselves, how that Authority stands, and has always stood, in the several Ages and Instances, from the *Summoning* and *Opening* a Convocation, to the *Dissolution* thereof; with an Eye, all along, to the different *Constitution*, and *manner of corresponding*, in the two Houses of Parliament, and particularly to the late Claims of *Independence* built upon a *Parliamentary* Relation.

CHAP. I.

The Method of SUMMONING an English Convocation.

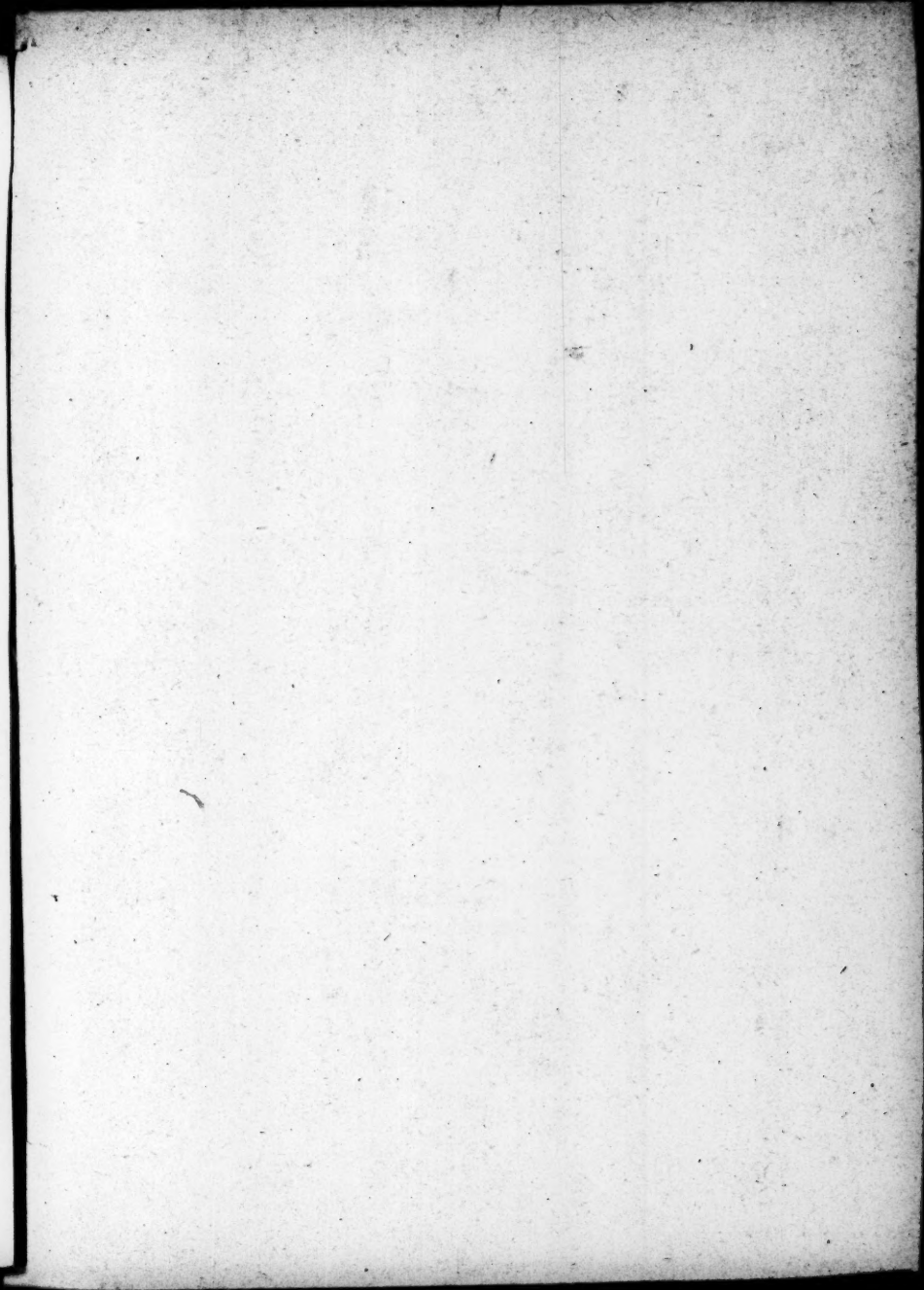
1. **W**Hen his Majesty, by the Advice of his Council, resolves to Summon his Parliament, and with it a Convocation, he signifies his Royal Pleasure by Writ to the Archbishop, ^{The Writ to the Archbishop.} *Rex, &c. Reverendissimo, &c.* (then the general Causes of his calling a Convocation are recited)

Volis

The Method of Summoning

Vobis in fide & dilectione quibus nobis tenemini, rogando mandamus, quatenus pramissis debito intuitu attentis & ponderatis, universos & singulos Episcopos vestra Provincia ac Decanos Ecclesiarum Cathedralium, necnon Archidiaconos, Capitula & Collegia totumque Clerum cujuslibet Diœcesis ejusdem Provincia, ad comparendum CORAM VOBIS in Ecclesia Cathedrali S. Pauli London — die, &c. VEL ALIBI prout melius expedire videritis, cum omni celeritate accommodâ, MODO DEBITO Convocari faciatis.

A Writ to this effect, and for some hundred Years in this very Form, has been all along directed to the Archbishop, whenever the King had resolved that a Convocation should be Summon'd. Upon the reception whereof, his Grace always proceeded to summon it in the *fixt* and *Canonical* Method, that he ever us'd in calling of Convocations upon his own motion, *without* that Writ. For tho' the King, as having a Right to the *Assistance* of the Clergy, had also a Right to be obey'd by the Archbishop, in calling them together for that end; yet in the dispatch of that business, he left them to proceed according to the known Rules of a Provincial Synod, *viz.* to be summon'd *before their Metropolitan*, and to the *Place* he should think fit to appoint, and in the *manner* that was usual in all *other* Convocations. For the Archbishop had a Right to call a Convocation at pleasure, till the Statute 25 *H. 8. c. 19.* absolutely restrained him from doing it, unless empower'd by the King's Writ: Which effected this *Alteration* in the Summons, that whereas *before* it was issu'd sometimes upon the Pleasure of the Prince signified to the Archbishop, and sometimes upon the Archbishop's alone, the *Authority* of the Summons in both, resting equally





qually in his Grace: Now he is restrain'd from the *Exercise* of that Authority, till he receive *leave* or *direction* from the Prince: The Summons upon that intimation of the Royal Pleasure, being still issued in his Grace's Name, and under the *Archiepiscopal Seal*; that is, remaining as properly *Authoritative* as before. *

* See this point proved more largely in *Right of the Archbishop*. 9

II. For whereas in the late comparisons of a Convocation and Parliament, the parallel lies between the *Archbishop* in the first, and the Lord Chancellor in the second; the share they have in the Summoning these two Bodies, is very different. The Lord Chancellor or Keeper receives a *Warrant* from the King, whereby his Majesty signifies his Resolution to call a Parliament; *In which case, divers and sundry Writs are to be directed forth, under our Great Seal of England, &c. Wherefore we Will and Command you, forthwith upon the receipt hereof, and by Warrant of the same, to cause such and so many Writs to be made and sealed under our Great Seal, for the accomplishment of the same, as in like cases hath been heretofore used and accusom'd, &c.*

The Warrant to the Lord Chancellor, who acts Ministerially.

What the King, in this case, requires of the Lord Chancellor, is in a way purely *Ministerial*; his Lordship being commanded to act only in his Majesties Name, and under his Seal, i. e. solely by his *Authority*; while the Archbishop is only *Licens'd* or *Directed* to Exert a Power and Authority which belongs to him, as well in the common Right of a Metropolitan, as by the antient Laws and Customs of this Realm. In virtue whereof, he directs his *Mandate* to the Bishop of London, whose Office it is, as his Grace's Dean of the Province, to *Execute* that *Mandate*, and whose part therefore in the calling a *Convocation*, answers to that of the Lord Chancellor;

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in the Summons of a *Parliament*. Both of them Act *Ministerially*, in the *Name* and by the *Authority*, the one of his *Civil*, and the other of his *Ecclesiastical* Superior.

The Writ for a *Parliament*, issu'd in the King's Name by the Lord Chancellor, summons the Lords Spiritual and Temporal, *Personally* to attend his Majesty on a certain day, at *Westminster*; *Vobis in fide & legiantia, quibus nobis tenemini, firmiter injungendo Mandamus, quod consideratis, & Dilecto die & loco personaliter interfutis nobiscum*: And another also, in his Majesty's Name, to the Sheriff of each County, commands him to take care that the *Knights, Citizens and Burgesse*, duly Elected, pay their Attendance to the King, at the same Place. But the Archbishop, in his Mandate executed by the Bishop of *London*, first reciting the *Royal Writ*, to shew that the Restraint of the Statute is taken off, Summons the Bishops and Clergy of his Province to appear before himself, in his Provincial Convocation at *St. Pauls*: *Quod iidem Episcopi Decani & Archidiaconi, & ceteri Ecclesiarum Cathedralium Prelati, &c. compareant coram nobis, aut nostro in hac parte locum tenente sive Commissario in Domo Capitulari Ecclesie Cathedralis Divi Pauli London.*

The Returns to Parliament, to the King.

In Convocation to the Archbishop.

The Sheriff of each County is directed in the *Royal Writ*, to make a due *Return* of his Election to the King, in his Court of *Chancery*: *Et Electionem tuam in pleno Comitatu tuo factam distinctè & apertè sub sigillo tuo & sigillis eorum qui Electioni illi interfuerint, nobis in Cancellariâ nostrâ ad diem & locum in Brevi Contentum certifies indilatè.* — By the Archbishop's Mandate, the Bishop of each Diocese (to whom the immediate Execution thereof belongs) is directed to make the Return to his *Grace*, or his *Commissary*: *Et præterea*

præterea vobis, ut supra, injungimus, quòd omnibus & singulis Coepiscopis, Suffraganeis Provinciæ nostræ Cant. injungatis & injungi faciat, ut singuli eorum sigillatim de facto suo, quatenus pertinet ad eosdem, Nos seu locum-tenentem sive Commissarium unum vel plures, dictis die, horâ, & loco, per litteras eorum Patentes Nomina & Cognomina omnium & singulorum per eos respectivè Citatorum continentes, distinctè certificent & apertè.

These Returns are ultimately deposited in their proper Offices, the Parliamentary in his Majesties Court of Chancery, and those to Convocation in the Register of the See of Canterbury: That is, the due Execution of each being immediately certified to the Person from whom the Command comes, and in whose Power it is to punish the default; the Testimonies of that Execution, rest and stop at the Authority, from whence the Sum-

The Summons not less Ecclesiastical for its being enjoined by the Prince.

Thus far (to the Honour of our Reform'd Church) nothing appears in the manner of an English Convocation, but what is truly Ecclesiastical; or in other Words, suitable to the Constitution and Government of an Episcopal Church, as well as the Degrees and Order of the Members whereof it consists. Bating, I mean, that one Restraint which the Statute has laid upon the Archbishop, from calling a Convocation at pleasure, as the antient Metropolitans and our own here in England before that Statute, had a right to do. For as to the Archbishop's exercising his Summoning Authority, at the Command of the King; this is so far from changing our Convocations into Civil Meetings, that 'tis no more than an obedience which has been ever paid to Christian Princes, by the Governours of National Churches, planted and establish'd under their Influence and

The Method of Summoning

Protection. Nor in our own, did the Archbishop's calling his Clergy, *upon* the King's Writ or *without* it, ever make the least Alteration in the stated *Ecclesiastical Methods* of Summoning. All these, God be thank'd, are still pretty entire; and I hope *safe* enough against the Endeavours of some restless Men, who would perswade us that they are pleading the Cause of the *Church*, in doing all they possibly can to make her a meer Creature of the *State*.

*The Clergy
not Summon'd
in the same
manner
from the
beginning.*

This has ever been the *Method* of Summoning a Convocation; but as to the *Members* summon'd, the Cathedral and Diocesan Clergy were not from the beginning represented, as now they are, by Persons of their own immediate Choice. The *Deans*, *Priors* and *Abbots* were requir'd by the Archbishop to bring *Procuratorial* Letters from the respective Bodies over whom they were plac'd; as the *Archdeacons* were to do from the Parochial Clergy within their District.

Anno 1257. the Archiepiscopal Mandate runs thus.—*In virtute obedientie precipiendo, ut prædicti Decanus & Prior dictarum Cathedralium Ecclesiarum, Abbates, & alii Priores, cum literis Procuratoriis nomine Congregationum suarum confectis, ac dicti Archidiaconi cum literis similiter factis ex parte Clericorum qui subsunt eisdem, &c. dictis die & loco personaliter debeant interesse.*

Anno 1258. to the same purpose: *Vocetis eciam Decanos Cathedralium et aliarum Ecclesiarum, nec non etiam Abbates, Priores Majores insuper et Archidiaconos vestræ Diacesis universos, ut cum literis suorum subditorum Procuratoriis loco et die antedictis compareant.*—And the Bishop's Order upon that Mandate to the *Archdeacon*, *Ac nihilominus Vos ipsi compareatis dictis die et loco cum literis Procuratoriis Cleri totius Archidiaconatus vestri.*

Anno

Anno, 1279. The Archbishop's Mandate directs the Bishops to call their Clergy together, and excite them to contribute liberally to the King's Necessities; and then leaves them at liberty, whether they will send their Resolutions by the Bishops or their Proxies, or by Proctors of their own. *Hujusmodi autem Servitii vel Subsidii quantitatem per Vos aut Procuratores vestros, vel certe per Procuratores proprios ad hoc, si expedire videritis, destinandos, nobis intimare studeant in Congregatione nostrâ London, &c.* The same Method (I mean of the Bishops calling together the Clergy) is prescrib'd by the Archiepiscopal Mandates of 1282. and 1283. when the Clergy appear to have been represented in both by two Proctors. But afterwards,

Anno 1296. we find the Diocesan Clergy requir'd to appear by one Proxy: *Unumquodque Capitulum seu Conventus per unum; Clerus quoque cujuscumque Diœcesis per unum similiter Procuratorem idoneum et instructum:* And, Anno 1311. either by one or two: *Clerus autem per unum vel duos Procuratores consimiles, communiter destinandos.*

I produce not these Instances to invalidate the Right of the Cathedral Clergy to be constantly represented by one, or the Diocesan, by two Proctors of their own choice: For that, they have now an undeniable Custom of almost four hundred years; as they have a Prescription of half that time and upwards, for the part they bear in framing and passing Ecclesiastical Constitutions. But such Observations came naturally into this Historical Account of the Archiepiscopal Summons; and the Inferences I would draw from them, are, ' That an Interest in Convocation, ' much more a concern in Affairs Ecclesiastical, ' is far from belonging to the Lower Clergy

Inferences
from the
foregoing
Testimo-

The Method of Summoning

‘ Originally, even by the Customs of our own
 ‘ Nation; and those Customs *Modern*, if compa-
 ‘ red with Primitive Practice: ‘ That the present
 ‘ *Frame* and *Establishment* first arose from the
 ‘ *Command* of the Metropolitan, to send *two*
 ‘ Proctors, and from a *Custom* growing thereup-
 ‘ on: That the Figure they now make in Con-
 ‘ vocation, and much more the Figure that some
 ‘ of the Members *would* make, is far beyond any
 ‘ thing that these their Predecessors pretended
 ‘ to: That the Exercise of the Archbishop’s Au-
 ‘ thority in Convocation, has been much greater
 ‘ than it is, and yet the Church and her Rights
 ‘ did not prosper the less: That therefore, even
 ‘ waving the *Practice of Convocation*, upon which
 ‘ the Claims of the Upper-House are immediate-
 ‘ ly grounded, the late Clamours of *Danger* and
 ‘ *Ruin* to the Church from thence, can in *Reason*
 ‘ be regarded by none, who will look back to
 ‘ the Condition of the Presbyters in the Primi-
 ‘ tive Times, or even in our own Nation, and
 ‘ that not many *Centuries* ago.

C H A P. II.

The manner of Opening a Convocation.

ON the day prefixt in the Archbishop's Mandate for the Convocation's meeting, all the Members cited thereby are obliged to be ready at St. Pauls for the coming of his Grace. Thus it is, and ever has been, according to Archbishop Parker's account of the establisht Form of Opening a Convocation: *Sciendum est, quòd omnes qui autoritate Reverendissimi citantur ad comparandum coram eo in domo Capitulari Ecclesiæ Cathedralis D. Pauli London. — die — tenentur præfixo tempore interesse atque in eadem Ecclesiâ Cathedrali præstolari adventum dicti Reverendissimi.*

All the Members to be ready at St. Pauls.

His Grace, waited on at his Landing by all the Advocates and Proctors of his Court, is by them and his own Retinue conducted to the Church of St. Pauls; at the Door whereof the Bishops and Clergy meet and receive him, and all walk in Procession to the Quire. Prayers and Sermon ended, he with the Bishops and Clergy go into the Chapter-House: where the Lord Bishop of London, Dean of the Province, exhibits a Certificate that the Mandate has been duly executed: *Reverendissimo ac cæteris suis Coepiscopis in suis sedibus ordine consedentibus, ac reliquo Clero circumstante, Reverendus Dominus Episcopus London. Mandatum sibi a dicto Reverendissimo ad Convocationem hujusmodi Summonend. directum, unâ cum scõbito Certificatorio super Executione ejusdem introducere, ac debita cum Reverentiâ eidem Reverendissimo Patri præsentare & tradere tenetur.* — This Certificate under the Episcopal Seal, and directed

The President's coming to St. Pauls,

The Dean of the province exhibits his Certificatorio.

to

to the Archbishop, first acknowledging the receipt of his Grace's Mandate, recites it: and then signifies, how by *Virtue* and *Authority* thereof, the *Bishops* of his Province, and by them the *Deans*, &c. have been regularly Summon'd: That he owns himself duly Cited by the Authority of the same Mandate: That he has intimated to them his Grace's Resolution not to hold any excus'd but upon good Reasons to be then and there alledg'd: That he has also enjoyn'd every Bishop to bring with him a *Certificate* of the Execution of the foresaid Mandate in his own Diocese: And then adding, how he has executed it particularly in the Diocese of *London*, he subjoins a Catalogue of the Members therein. In like manner, every Bishop makes his Return immediately to the Archbishop, in a formal Instrument under his Episcopal Seal, certifying the Summons of his *Dean*, *Archdeacons* and *Clergy*, in Virtue of his Grace's Letters Mandatory transmitted by the Lord Bishop of *London*, and adding their several *Names* and *Sirnames*.

Other
Certifi-
cates and
Proxies.

Contuma-
cy pro-
nounced.
Forma Con-
vocat.

By the Archbishop's Order, the Bishop of *London*'s Certificate is publicly Read, and one or more Officers of his Court appointed by him, to receive in his Name the *Certificates* of the other Bishops, and all the Letters of Proxy. Then a written Schedule is put into his Grace's Hand, by which he pronounces all Members *cited* and *not appearing*, Contumacious; reserving the Punishment of their Contumacy to another time, *Reservando poenam eorum Contumacia in aliquem diem competentem pro beneplacito ipsius Reverendissimi.*

This is a short and general Account of the Opening a Convocation; enough to convince any Indifferent Man of his Grace's Right, as to Preside

OVER

over the whole Body, so to dispense with the *Absence*, or require the *Attendance* of every particular Member, according to the *reasons* and *circumstances* of Things. But because in the last Convocation the Power of the Archbishop over the Members of the Lower-House, was not only call'd in Question, but in effect directly deny'd by the departure of several without applying to his Grace for leave; and not only so, but in *contempt* of the Metropolitcal Authority, several Applications were directly made to the *Lower-House*, and the leave of the House thought a sufficient *Discharge* from their obligation to attendance: Upon these Accounts, and the Inferences that are made on the Supposition of such a Right in the Lower-House, it becomes necessary to be full and clear in the Explication of these *Certificates* or *Returns*, which (as made in pursuance of the Archiepiscopal Mandate) are the foundation of his Grace's Power in that point, over all the Members indifferently: To show, on the one hand, the *Antiquity* of them, that no room may be left to suspect 'em *Innovations*; and on the other, their real *force* and *effect*, as appearing from the Archbishop's frequent *Exercise* of this Power, that they may not be thought a matter of Form, or the *appearance* only of a legal Title without the Authority of *Practice* to support and confirm them.

The Archbishop's Jurisdiction over the Members, as to their *Attendance*, asserted.

I. In the Archbishop's Mandate for the Summoning a Convocation, it is, and always has been usual for his Grace, to require the Dean of the Province, among other things, to acquaint the Bishops, and by them the Inferior Clergy, that he will excuse no member from attending, according to the Tenor thereof, but who shall show such

By the Tenor of the *Mandate*, none to be excus'd but who shall shew reasonable cause.

such cause as his Grace shall judge reasonable. This Notice is given in the antient Mandates under different *Forms*, but all to the same effect with the present Clause.

Anno 1281. After an Enumeration of all the Members to be cited; *Denunciantes eisdem quod contra absentes in Formâ Canonica procedemus. Nec debilitatis Excusationem sufficere reputamus illorum, qui per Maneria sua juxta Dioceses suas, & extra, & ad alia loca per Cant. Provinciam, se faciunt pro familiaribus negotiis in quibuscunque vehiculis deportari.*

Anno 1296. Compareant eodem die & sequentibus opportunis— Sub pœna Excommunicationis Majoris & Interdicti, quæ meritò poterunt formidare qui in forma prænotatâ contumaciter omiserint seu contempserint comparere; & quæ contra eosdem qui sic comparere decreverint sine delectu Personarum intendimus Executioni debite demandare.

Anno 1297. Vos etiam præmunimus, & ceteros sic citandos præmuniri Mandamus, quod absentes in Citatione prædictâ, nisi Evidens & inevitabile impedimentum per probationes certas superesse docuerint tanquam Inobedientes & offensores notorios graviter puniemus. And another the same Year: *Denunciantes dictis Coepiscopis, & per eos suos subditos sic vocandos faciatis idoneè præmuniri, quod absentes in citatione prædictâ, nisi Evidens & inevitabile impedimentum sufficienter probetur; tanquam inobedientes graviter puniemus.* Much of the same Form and wholly to the same purpose, is this Clause in the Mandates, *Anno 1333.* and 1327.

Anno 1356. Intimantes eisdem, quod contra absentes in formâ Canonica procedemus; nullius sic absentis excusationem penitus admissuri, nisi quatenus ad hoc nos arctaverint Canonica Sanctiones.

Anno

Anno 1359. Volumus & intimamus, quod intimetis seu denunciari faciatis dicta Provincia Coepiscopis & Confratribus ac Vicariis hujusmodi, Decanis, Abbatibus, Prioribus, & ceteris Ecclesiarum Prælatiſ ſupradictis, quod eos à personali comparitione in hujusmodi Congregatione, dictis die & loco per nos seu nostra Auctoritate, Deo annuente, celebranda, habere non intendimus excusatos iſta Vice, niſi ex cauſa neceſſaria tunc ibidem alleganda & probanda; ſed eorum Contumacia, ſi qui forſitan abſentes fuerint, ſecundum juris exigentiam Canonice punietur.

From thence to this Day, the ſame Clauſe continues a part of the Archiepiſcopal Mandate, with a very ſmall variation of the Words, and none at all of the Sence or Intention: Volumus inſuper et mandamus, quatenus intimetis et denunciatis seu intimari et denunciari faciatis dicta Provincia noſtra Cantuar. Coepiſcopis, Decanis, Archidiaconis, ac ceteris Eccleſiarum Prælatiſ ſupraſcriptis, quod eos à personali comparitione in hujusmodi negotio Convocationis et Congregationis dictis die et loco ut præmittitur, divina favente Clementia celebrand. excusatos non habere intendimus iſta Vice niſi ex cauſa neceſſaria tunc et ibidem allegandâ et proponendâ, et per nos approbandâ; ſed Contumacias eorum qui Abſentes fuerint Canonice punire.

I know not, how clearer Teſtimonies can be given of any Point, than theſe are of a conſtant right in our Metropolitan (the ſame that *Metropolitans* have always enjoy'd) to require Attendance according to the tenor of his Mandate, and to judge of the *Reasonableneſs* of all Excuses of *Absence*, and to puniſh the *Contumacy* of thoſe who are *Absent* without ſending Reaſons that in his Grace's Judgment are good and ſufficient.

All Returns
ever
made di-
rectly to
the Arch-
bishop.

II. In pursuance of his General Summons, and that particular Admonition; the Archbishop in the same Mandate and in the Clause immediately following, commands the Dean of the Province to Intimate to every Suffragan Bishop, that he Exhibit to his Grace at the Day appointed, a Schedule under his Episcopal Seal containing the Names and Surnames of all the Persons he has cited to appear. The words of this Clause have not always been the same they are now; but such as express the same meaning, and had the same effect; for instance,

Anno 1281. Mandantes insuper singulis Episcopis quod secum deferant in scriptis nomina omnium in forma prædicta de suis Diocæsisbus ad Concilium vocatorum. And more distinctly the very next Year, viz.

Anno 1282. De nominibus vero Abbatum, Priorum, et aliorum Religiosorum, Decanorum, Archidiaconorum, Procuratorum, tam Cleri cujuslibet Diocæsis quam Capitulorum, singuli Episcopi pro suis Diocæsisbus ad dictos diem et locum per suas literas distincte nos certificent et aperte.

In the next Century, it comes yet nearer to our present Form: As,

Anno 1350. After direction given to the Dean of the Province, to bring a particular Return or Certificate of the due Execution of the Mandate, it is added, Et cateris Coepiscopis Suffraganeis nostris, Electis, et Vicariis prædictis similiter injungatis, ut Nos vel nostrum Commissarium eisdem die et loco singuli sigillatim modo debito certificent per literas suas patentes harum seriem et citatorum Nomina Diocæs. eorundem in Cedula continentes.

And before the end of that Century, we find it the same with the present Form, excepting

cepting a very small variation of the words : So,

Anno 1396. Vobis etiam, ut supra, injungimus et mandamus, quòd omnibus et singulis Venerabilibus Fratribus nostris, Coepiscopis vestris, vel Vicariis hujusmodi, injungatis seu faciatis injungi, quod singuli eorum singillatim de facto suo quatenus pertinet ad eosdem, Nos seu loca nostra tenentes vel Commissarios, dictis die et loco, per literas suas Patentes, Citatorum Nomina continentes, distinctè certificent et apertè.

The Clause at present, runs thus :

Et praterè, Vobis, ut supra, injungimus et mandamus, quòd omnibus et singulis Coepiscopis Suffraganeis Provincia nostra Cant. injungatis et injungi jaciatis, ut singuli eorum Sigillatim de facto suo, quatenus pertinet ad eosdem, Nos seu locum-tenentem sive Commissarium, unum vel plures, dictis die, horà, et loco, per literas eorum Patentes Nomina et Cognomina omnium et singulorum per eos respectivè Citatorum continentes, distinctè certificent et apertè.

The several Forms of these two Clauses, we see, are only different ways of expressing the self-same things: And I produce them thus distinctly, that they who have lately Acted against the *Intent* and *Authority* of them, may have no Opportunity to Suggest to their Friends, that as they stand in our *Modern Mandates*, they are not agreeable to the *Sense* and *Language* of *Antiquity*, i. e. that the Denouncing Canonical Censures against Absents, and the Returns from the several Bishops, to inform his Grace whose Attendance it was that he had a right to require, has not ever been, as now it is, the *Method* and *Practice* of an English Convocation. Since the Beginning-

ginning of this Controversie, Assertions no less groundless have been given out and propagated, and have had their design'd effect, in misleading many honest and well-meaning Men; which is a warning for the future, not to leave Room for any Misrepresentations of that kind, and is also the reason why I take the same Method in the Explication of the next Clause, whereby the Lord Bishop of London, in particular, is oblig'd to Certifie the Archbishop that his Mandate has been transmitted to the Suffragan Bishops, and duly executed within his own Diocese.

The Dean of the Province requir'd to certifie to his Grace the Execution of the Mandate.

In Archbishop Peckham's time, Anno 1281.

Vos autem, prædictis die et loco, in forma prædicta Compurentes comite Sanitate, certificetis nos per Patentes vestras literas quid feceritis de præmissis.

Anno 1282. *Vos autem, quos tunc præsentés adesse volumus, nobis rescribatis per vestras literas Patentes, harum seriem continentes, qualiter præsens Mandatum nostrum fueritis Executi.*

Anno 1350. *De die vero receptionis præsentium, et quid feceritis ac facere duxeritis in præmissis, Nos vel nostros Commissarios dictis die et loco Certificetis per literas vestras Patentes harum Seriem et Citatorum Nomina vestræ London. Diœces. in Cedula separata, his Certificatoriis annexenda, plenarie continentes.*——Which, after 3 Centuries and a half, continues the same in effect to this Day, viz.

De die vero receptionis præsentium, et quid in præmissis feceritis, Nos aut nostrum in hac parte, locum-tenentem sive Commissarium hujusmodi, dictis die, hora, et loco, debite Certificari curetis per Literas harum seriem, unâ cum nominibus omnium et singulorum [adding the several degrees, Episcoporum, &c.] in separata Schedula literis Certificatorum annexend. complectentes.

III. According to this precept of the Archbishop of London to Exhibit his *Certificatorium*, or *Return*, to his Grace on the first Day of its Meeting. Which being read by some one of the Officers of the Archbishop's Court appointed by his Grace; certain Commissioners are directed to receive the *Returns* of all the other Bishops, and the Proxies of the Persons mention'd therein, *i. e. the Procuratorial Letters* of the Cathedral and Diocesan Clergy appearing in Person, and the *Substitutions* of Proxies made by the absent Members, upon reasonable Causes of Absence, offer'd and alleg'd according to the terms of the Mandate. Nor is the Commissioner empow-
 er'd only to receive, but also to *inspect* and *examin* the Proxies of both sorts; to see, that they be in due form, and the Causes alleg'd for absence, fit to be admitted.

The Dean of the Province's *Certificatorium* or *Return* Exhibited.
 Archbishops and Commissioners to receive and inspect Proxies.

The Proxies, as well of the Cathedral and Diocesan Clergy, as of the *Absent Members*, are ordinarily express'd under the Common Name *Procuratoria*, in his Grace's Appointment or Commission; but sometimes with express reference to the *Absent Clergy*. So, Feb. 7. 1452. — *nec non quorumcumque absentium Procuratoria in dicto Concilio sive Convocatione comparere debentium.* — Anno 1557. He is required to examin, among other things, *causas Absentiarum*; and in 1562 (the first after the Reformation, the Acts whereof remain entire) the Archbishop's Deputation is thus set down at large: *Deinde dictus Reverendissimus Pater commisit vices suas Mro. Thomæ Yale Cancellario suo, ac Magistro Willelmo Drurie*

Drurie *Legum Doctori, Commissario ad facultates, ad recipiend. Certificatoria Episcoporum ac ad inspiciend. Procuratoria quorumcunq Absentium ac causas absentiarum suarum examinand. et approband.* Answerable to which the Contumacy pronounc'd immediately upon this Inspection and Examination, is (in the ordinary Style of the Registers) against those who did *Nullo modo comparere*, that is, neither in Person, nor by Proxy: And yet more express in that of 1562.—*monitos et citatos, ac per se aut Procuratores suos idoneos minime comparentes.* For

Sentence
of Contu-
macy a-
gainst Ab-
sents, by
the Arch-
bishop or
his Com-
missary.

IV. The *Certificates* and *Proxies* being duly examin'd, and the Members particularly Preconiz'd; the Usage has ever been, to pronounce the Absents, *Contumacious*. Anciently, it was pronounc'd in the Name of the Archbishop, by the Person commissioned to receive and inspect the *Certificates, &c.* And in that Case, the punishment was reserv'd to the Archbishop, *Pœnâ Contumaciarum Domino reservata*: But when his Grace pronounc'd it in Person (as he then did *sometimes*, and constantly afterwards) it ran, *Pœna sibi reservata*, or in words to that effect, *i. e.* to be inflicted or not inflicted, with strictness or with abatements, as he himself should see convenient.

The *Certificates, &c.* were exhibited by his Grace's Appointment, not on a *Convocation Day*, but at an *Intermediate Time*; and so the Registers, tho' they constantly make mention of the Bishop of *London's Certificatorium*, and his Grace's *Commission* to inspect the rest, (both these being done in *Convocation*,) do yet seldom take notice of the *Contumacy* pronounc'd which was *out of Convocation*. But we find
the

the manner of the Commissioner's proceedings, enter'd at large in the Convocation Acts of 1432. after the Business of the Day: *Post Prandium dicti diei Luna prefatus Venerabilis Vir Magister Thomas Bronus adivit dictam domum Capitularem, et ibidem recepit Certificatoria Episcoporum et Procuratoria Prælatorum ac Cleri et Capitulorum, et receptis Certificatoriis hujusmodi, idem Magister Thomas Præconizari fecit omnes et singulas personas quarum nomina in Cedula singulorum Episcoporum Certificatoriis annexis fuerunt annotata. Quibus sic Præconizatis, idem Magister Thomas omnes et singulos ad illud Provinciale Concilium citatos, certificados, et (ut præmittitur) præconizatos, ac nullo modo seu minùs legitimè comparentes, pronuntiavit Contumaces, Pœna reservata Domino. Et mandavit idem Magister Thomas Procuratoria hujusmodi custodiri cum deliberatione examinanda, et prout juris fuerit, admittenda seu rejicienda.*

At other times, the Archbishop himself pronounc'd the Absents *Contumacious*, at the meeting next after the Inspection of the *Returns* and *Proxies*: Which indeed, in the natural Order of things, seems to be more regular than the Practice that came after and still continues; of the Archbishop's pronouncing the *Contumacy* immediately upon his Appointment of a Commissioner to receive the Certificates.

I can't affirm (because the Registers don't say it) that this Act of his Grace and his Commissioner, was in a written Form from the beginning: But I find one as early as Archbishop Chicheley, in the Year 1438. *Tenor vero Decretive Sententiæ contra Absentes, ut præfertur, sequitur, et est talis, IN DEI NOMINE Amen. Henricus permissione divina Cantuar. Archiepisco-*

The Sentence of Contumacy a written Instrument.

pus, totius Angliæ Primas et Apostolica sedis Legatus, Omnes et singulos Abbates, Priores, Decanos Ecclesiarum Cathedralium, Archidiaconos, Custodes et Magistros Ecclesiarum Collegiatarum, et alios de Clero quoscunque ad præsentem Convocationem vocatos, citatos, præmunitos, et præconizatos, diuciusque expectatos, ac nullo modo aut non legitimè secundum tenorem Mandati nostri comparentes, Pronunciamus Contumaces, pœnam Contumaciæ in omnes et singulos prædict. infligend. nobis reservantes: Monemus insuper omnes et singulos præfatos Contumaces, quòd sexto die Octobris prox. futuro omnes et singuli Contumaces suprascripti compareant coram nobis in loco præfati pœnas Contumaciarum hujusmodi auditur. et subitur. completur. et factur. prout justitia suadebit; et præsentem Convocationem usque in et ad diem præfatum Continuamus: Monentes insuper omnes et singulos jam præfatos, ut die prædicto compareant, et quilibet eorum compareat, coram Nobis aut nostris in hac parte Commissariis in Convocatione præfati isto eodem loco processur. et rursur. factur. et subitur. quod in Conciliis Provincialibus faciend. ordinand. et providend. fuerit, et quod Canones et Jura suadebunt.

Afterwards, the Extracts out of the Register of the Upper-House in 1529. speak of it as a written Instrument; referring to the Register where it was enter'd at large: And in 1545. where the remaining Convocation-Acts in the Province of York begin, the *Schedula contra Contumaces* is set down at length, and said to be then and there Read by the Commissary: —
Omnes et Singulas Personas Ecclesiasticas, ad hos diem et locum interessend. in hac sacra Convocatione vocat. præconizat. expectatas et non comparentes, Pronunciamus eas et earum quamlibet Contumaces, et in pœnam Contumaciarum suarum hujusmodi de-

cernimus procedend. fore ad ulterior. Ipsorum Contumaciis sive absentis non obstan. Et ulteriorem penam Contumaciarum suarum hujusmodi per nos imponend. usque ad et in xxvi diem mensis Januarii prox. futurum reservamus in hiis scriptis.

Whatever Schedules of Contumacy had been from time to time deposited in the Registry of the See of Canterbury, were burnt in the Fire of London, with those of Continuation or Prorogation; and I find no one enter'd at large in any *Acts* since the Reformation: Only, at the opening of Convocations, the Pronouncing it is mention'd, and reference made to the original Schedule in writing. The Register of 1562. mentions it thus: *Ac praterea dictus Reverendissimus Pater pronunciavit omnes et singulos Decanos, Archidiaconos, Capitula ac Cleri Procuratores, et ceteros quoscunque ad interessend. in hujusmodi sacrâ Synodo sive Convocatione monitos et citatos ac per se aut Procuratores suos idoneos minimè comparentes notorie Contumaces; penas Contumaciarum suarum hujusmodi usque in prox. Sessionem reservand. prout in Scheda per eum lectâ plenius continetur; cujus quidem Schedule verus tenor sequitur in hac Verba, IN DEI NOMINE AMEN.*

The present Schedule, of the same import with the former, is as follows: *Nos, Archiepiscopus—omnes et singulos Decanos, Archidiaconos, Capitula et Cleri Procuratores, ac ceteros quoscunque ad interessendum nobiscum in hac præsentî sacra Synodo Provinciali &c. legitimè et peremptoriè monitos et citatos, nec per se nec per Procuratores suos idoneos comparentes, nec ulla causas Absentiarum suarum hujusmodi sufficienter allegantes, Pronunciamus Contumaces, et eorum quemlibet Contumacem; sed poenas eorum Contumaciæ usque ad et in diem—reservando reservamus.*

The Execution of the Sentence of Contumacy suspend-
ed every Session by the Archbishop.

IV. By this Sentence, all the absent Members fall under the *Guilt* of Contumacy; and that rests upon them till they give *satisfaction* to his Grace, either by their Personal Appearance, or the transmitting some such reasonable Cause of Absence, as he shall approve. In expectation whereof, the Canonical Punishment is usually suspended, *in aliquem diem competentem pro bene-placito ipsius Reverendissimi*, according to Archbishop Parker's Form; and the day that is usually fixt by his Grace, is to that of his *Continuation*. For in the tenor thereof, we find this *Suspension* of Punishment for Absence particularly expressed in our most early Acts of Convocation. *Archiepiscopus Continuavit, &c. & decrevit Absentes fore expectandos, & ipsos expectavit usque in diem—Continuavit, &c. de gratia expectando absentes—Fecit Continuationem & Expectationem—* Here, the *Expectatio Absentium* is properly the same *Suspension* of the Punishment of Absence, that has been constantly express'd in the *Schedule* of Continuation, *viz. nec non omnia & singula Certificatoria, hactenus introducta & introducenda & non introducta, in eodem statu quo nunc sunt, usque ad & in diem—Continuamus & Prorogamus, in hiis scriptis.* The *Certificatoria* thus continued, are the foremention'd *Returns* made by every Bishop to his Grace at the Opening of the Convocation, and deposited in the Office of the Archiepiscopal See: As the *Continuation* of them, is a Decree, *suspending* both the *Praconization* of the Persons therein return'd, and the infliction of the Punishment that would thereupon belong to the Absents. And so, in the year 1554. *Seff. 5.* where it is said, that the President *Continu'd* the Convocation to such a day, 'tis added, *Et etiam continuavit*

*renuavit Certificatoria contra Absentes usque ad
& in—*

V. But the Declaration of *Contumacy* at the Beginning *only*, as well as the *Continuation* of the Returns from time to time, are purely Acts of *Grace* and *Favour* in the Archbishop: Who therefore, as the Members appear'd to be *slack* in their Attendance, has solemnly declared them *Contumacious*, and in the several Instances actually inflicted the Punishment of Suspension, in the *middle* of Convocations. Which I the rather observe, because I remember at the meeting of the last, they who contended for a Power in the Lower-House over their own Members, went upon a groundless distinction, ' That the Archbishop's part was only to pronounce *Contumacy* at the *Beginning*, and either to execute or take off the Sentence at the *End* of Convocation; but as to the Time between these, *i. e.* in the whole course of their Proceedings, he had never interpos'd. Whereas, that his *original* Right to *require* or *dispense* with their Attendance, has been *frequently*, and in several ways, shown and exerted in the *middle* of Convocations: As,

1. In *Præconizations*, and solemn Declarations of *Contumacy*: Of which sort there are several Instances, but none so particularly affecting the Lower-House, or so fully represented under all the circumstances, as that of the Convocation in 1562. It begun *January* the 11th, and sat till it was Prorogu'd by the Queens Writ, *April* 14th. Between these, on *February* the 19th. *Venerabilis Vir. Magister Thomas Yale Legum doctor Vicar. in Spiritualibus Generalis dicti Reverendissimi Patris, ac Commissarius in hac parte specialiter deputatus, in Capellâ Beatæ Mariæ infra Ecclesiam*

The Archbishops have frequently exercis'd their Authority over the Members in the middle of Convocation.

In Præconizations, and solemnly declaring *Contumacy*.

Cathedralem divi Pauli London scitnat. Domo, viz. Inferioris Convocationis predict' in presentia (ut dicebatur) Magistri Willelmi Saye notarii publici dictæ domus Inferioris Registrarii et actorum Scribæ, judicialiter sedens, legit quandam Schedulam contra omnes et singulos Decanos, Capitula, Archidiaconos, et Cleri Procuratores, ac ceteros quoscumq; in dictâ Convocatione juxta monitionem legitimam in hac parte factam non comparentes, aut ab eadem sine licentia, &c. recedentes. Cujus quidem Schemulæ verus tenor sequitur et est talis. In dei nomine Amen.

So also, ann. 1605. The Extracts out of the Upper-House-Books have this note in the middle of the Session: *Nothing of moment more than Suspension of Contumacious Non-Comparents, and Absolution of some.*

Again, in the same Convocation, ten Sessions at least before the conclusion of it, the same Extracts, referring to the Acts of the Upper-House, say, *Nothing more than the Absolution of Dr. Tooker Dean of Lichfield, and Mr. Robotham, from Suspension of Non-Comparents, and the Suspension of Dr. Stern, Suffragan Bishop of Colchester, for not appearing.*

Ann. 1588. In the Convocation whereof there were 22 Sessions, it is said in the Extracts, Sess. 19. *Archbishop suspends Absents and Departers without leave; particularly the Bishop of Litchfield for going without leave.*

2. Another effect of the Archbishop's Power over the Members in point of Attendance, is his giving License to be Absent: So,

Ann. 1438. May 10. Dominus continuavit Convocationem suam, &c. Licentia prius datâ dictis Religiosis recedendi, constitutis per eos certis Procuratoribus,

ratoribus, prout de facto constituerunt, ad Interessend. consentiend. & faciend. in ipsa Convocatione, quæ ipsi facerent si personaliter interessent.

Ann. 1586. Sess. 10. The Lower-House Book: The Prolocutor coming from the Upper-House, intimates the Continuation — & moniti sunt omnes supra-nominati ad tunc ibidem interessend. &c. *Mri.* Nowell, Walker, Humfrey, Byllè, Powell & Say, ex Relatione Domini Prolocutoris isto die fuerunt Licentiati quoad eorum personalem comparitionem.

In the List of the Members before the Lower-House Minutes in 1540. at the Arch-deacon of Canterbury's Name, I find this Note: *Abs. ex Licentiâ domini Archiepiscopi.*

So also, in the Catalogue of the Members before the Minutes of 1662. at the Dean of Sarum's Name it is said, *Excusatio per licentiam Archiepiscopi.* And at the same Name in the next List, the Bishop of London Presiding, *Excusatus per Episcopum London. ut informatur.*

With reference to this Right in the Archbishop to require the Presence of all the Members during the Convocation, we find his Dissolution of it anciently express'd by his giving them leave to depart.

Ann. 1371. The Bishop of London Presiding, *Procuratores Religiosorum & Cleri ibidem comparentes ad recedendum Licentiavit per Decretum.*

Ann. 1373. *Commissarius dictos Procuratores ex præcepto Domini, ut dixit, ad recedendum Licentiavit.*

Ann. 1379. *Et tandem idem dominus Archiepiscopus dictis Prelatis & Procuratoribus Licentiam recedendi à dictâ Convocatione dedit, & ipsam Convocationem dissolvit.*

Ann. eod. Et sic idem Dominus Cant. Archiepiscopus dictam Convocationem dissolvebat, & legitimam dictis Prelatis & Procuratoribus Cleri Licentiam recedendi à Convocatione hujusmodi concessit.

Ann. 1400. Reverendissimus Pater, &c. Convocationem predictam & Concilium suum Provinciale consummavit & dissolvit, omnibus præbens Licentiam recedendi.

3. His Grace's *Admonitions* to the Clergy, not to depart before the *End* of the Convocation, is another direct Testimony of his Power over them in this particular.

Ann. 1379. 16 Kal. Jan. Et Dominus post tractatum hujusmodi moneri fecit ibidem publicè Procuratores dictorum Prelatorum & Cleri, ne quis ipsorum recederet a Civitate London, ante dicta Convocationis negotium finitum, sub pænâ a missionis Procurationum Suarum, & alia multa eis per eum imponenda.

Ann. 1541. Sess. 2. The Prolocutor and Clergy being in the Upper-House, Monuit Reverendissimus, ut nemo se subduceret a Convocatione ob ullam causam nisi prius approbatam à Se.

Ann. 1557. Sess. 1. Et moniti sunt tam Patres quam totus Cleri chorus ad Interessendum in hoc sacro Concilio usque ad Dissolutionem ejusdem ad singulos Actus expediendos.

And therefore, Archbishop Parker, describing the several Branches of the Prolocutor's Office, makes this One: *Ejusdem Prolocutoris est, etiam monere omnes ne discedant à Civitate London. absque Licentia Reverendissimi.*

To these *Admonitions* not to depart, I will joyn a remarkable Reproof from the Archbishop to the Lower-House, occasion'd by the negligence of the Clergy in not duly attending the Convocation. It is upon their own Book in

1588. Sess. 12. Dominus Prolocutor preconizari fecit citatos ad comparendum in hac parte, & Praconizatione hujusmodi minimè finita, Reverendissimus Pater Dominus Cant. Archiepiscopus, caterique Domini Pralati, accersiverunt ad se integrum Cœtum hujus Domûs, eosdemq; Dominos Pralatos adierunt — ibique dictus Reverendissimus Pater reprehendit negligentiam sive contumaciam nonnullorum citatorum & monitorum ad comparendum in hac Domo & non comparentium, ac expresse affirmavit se vel- le propter eorum Contumacias procedere juxta Juris Exigentiam, &c. Et mox omnes Supranominati in inferiorem Domum prædict. reversi sunt, & tunc ibidem finita fuit Praconizatio, ut præfertur, Citatorum.

4. Pursuant to his Power of requiring the Attendance of the Members, with putting the Absents under the Censure of Contumacy, and the Exercise of that Inherent Power, while the Convocation continues; the Archbishop at the Conclusion thereof usually calls for a Catalogue of the Members who have either not appear'd at all, or departed without his *Special Leave*; and the Punishment having been all along reserv'd to himself, he *absolves* or *punishes* them, as he sees reason.

The Archbishop *absolves* or *punishes* the Absents at the conclusion of the Synod.

Upon some Occasions, the Registers particularly mention the *Pardon* of their Contumacy, as an Act of *Favour* in his Grace.

Ann. 1417. Dominus omnibus & singulis ad ipsam Convocationem vocatis, & nullo modo seu minus legitime comparentibus, ad rogatum Prælatorum & Cleri ibidem præsentium, ex suâ gratiâ speciali remisit.

Ann. 1419. Dominus, ad petitionem & rogatum Confratrum suorum Coepiscoporum & aliorum Prælatorum & Cleri ibidem præsentium, omnes & singulos ad ipsam Convocationem vocatos, minus legitime
seu

seu nullo modo comparentes, pro illâ vice duntaxat habuit excusatos.

Ann. 1422. Dominus, ad petitionem Procuratorum Cleri ibidem tunc presentium, quibuscunque ad dictam Convocationem vocatis & nullo modo seu minus legitime comparentibus, ex gratia remisit.

At other Times when the *Non-Attendance* of the Members put him under a Necessity of using other Methods less mild and gentle; he continued them in a State of Contumacy, and proceeded to *Canonical Censures*, sometimes reserving the Punishment to himself, but frequently declaring the Punishment publicly in Convocation.

Ann. 1356. The first Convocation, of the Acts whereof we have any Accounts remaining, concludes thus: Dominus Archiepiscopus omnes citatos ad idem Concilium, qui illo die non comparuerunt, ut tenebantur, pronunciavit Contumaces, pœnâ sibi reservatâ.

Ann. 1386. In domo Capitulari, idem Dominus Cant. præconizari fecit Suffraganeos suos, Abbates, Priores, Decanos, Archidiaconos, & Procuratores Cleri, ad eandem Convocationem citatos; & omnes absentes Prælatos præconizatos, & nullo modo comparentes, pronnnciavit Contumaces; & in pœnam Contumacie eorundum sequestravit fructus & proventus omnium Ecclesiarum eisdem Prælati vel eorum Beneficijs appropriatarum.

Ann. 1404. Reverendissimus Pater Archiepiscopus ad promotionem & excitationem Cleri prædicti. & de consilio & avisamento Prælatorum Diœces. Cant. Provinciæ sibi assidentium & circumsedentium, omnes ac singulos Abbates, Priores, ac alios quoscunq; dictæ Cant. Provinciæ, qui ad comparandum in dicta Convocatione per loci Ordinarios, prout in eorum liquet Certificatoriis, citati fuerunt, & non comparentes, pronunciavit Contumaces, & in pœnam Contumacie

maciæ eorum hujusmodi Sequestravit fructus, redditus, & proventus omnium Monasteriorum, Prioratum, & aliorum locorum hujusmodi, & præsertim Exemptionum, & decrevit exinde fieri Publicationem in partibus. Et post aliquot dies postea, idem Reverendissimus Pater Archiepiscopus scripsit Suffraganeis suis pro intimatione hujusmodi Sequestri, & pro eodem sequestro custodiendo.

Anno 1416. we meet with another Execution of the same kind: Archbishop Chicheley directs it to the Bishop of London's Vicar-General, and reciting how they had been Summon'd to Convocation, and did not obey (*nec in dicto Concilio personaliter comparere, aut Procuratores sufficientes, saltem qui causas rationabiles ipsorum absentia allegare possent aut vellent, mittere curaverunt*) he signifies his Declaration of their Contumacy, and the Punishment he had inflicted, *In pœnam Contumaciæ suæ hujusmodi, fructus quoscunque omnium et singularum Ecclesiarum non exemptarum personis Exemptis et eorum Monasteriis ubicunque infra nostram Provinciam Appropriatarum, cujuscunque Ordinis existunt, duximus Sequestrandos; prout tenore præsentium Sequestramus. Alios vero Abbates, et Priores, ac Prælatos non exemptos, et Archidiaconos ab ingressu Ecclesiæ in his scriptis suspendimus* —
 Afterwards, we find nineteen Absolv'd from the Sentence, upon their Submission and an Oath taken by every particular Person, *quod ipse in singulis Convocationibus Prælatorum et Cleri Cant. Provincia de cætero celebrand. juxta vim, formam et effectum Citationis sibi fenda fideliter comparebit, nisi impedimento legitime fuerit præpeditus; et in eventum quod citatus fuerit ad personaliter comparendum, parebit Citationi, nisi impedimento legitimo, ut supra, detineatur; in quo casu mittet unum ex confratribus suis cum sufficienti Procuratorio tam ad allegand. causas*
 Ab-

Absentia sue et eas proband. quam ad comparend. nomine suo in Convocationibus hujusmodi, nec non hiis que ibi fieri, statui, concedi, vel ordinari contigerit, consentiend. ibique durantibus Convocationibus hujusmodi remansurum, nisi abinde recedendi Licentiam obtinere valeat Specialem.

Anno 1428. Dominus, ex assensu Confratrum suorum, pro eo quod complures Abbates, et Prælati ac alii Religiosi qui in Convocatione debuerant comparere nullo modo comparuerunt, ipsos omnes non Comparentes Pronunciavit Contumaces, pœnâ sibi reservatâ.

Anno 1437. May 14. Dominus omnes citatos ad dictum Provinciale Concilium nullo modo vel juxta tenorem Mandati non comparentes, Pronunciavit Contumaces——Monemus insuper omnes et singulos Contumaces quod sexto die Octobris——compareant coram nobis in loco præsentis, pœnas Contumaciarum hujusmodi audituri et subituri, &c. prout Justitia suadebit.

At the Conclusion of another Meeting of the same Year.—*Dominus omnes et singulos ad hujusmodi Convocationem legitimè citatos, ac non comparentes, juxta tenorem Mandati eis in hac parte facti, Pronunciavit Contumaces, pœnâ sibi reservatâ.*

Anno 1541. Sess. 15. before a Prorogation, Dom. Cox [the Archbishop's Commissary] omnes Prælatos non comparentes seu non Licentiatos, suspendebat à celebratione divinatorum et ingressu Ecclesiæ. The Prælati were the Lower-House Members (the Dignitaries at least) who under that Style are commanded to retire and chuse a Prolocutor in the Convocation that immediately preceeds.

Anno 1586. Dec. 2. in the Extracts out of the Registers of the Upper-House it is said in short, upon a Prorogation——Non comparents, Contumacious, suspended. And before the Dissolution——Suspension of Absents, or Departers without leave.

Anno

Anno 1601. in the same Extracts, we meet with the like Hint, immediately before the Dissolution—*Contumacious suspended.*

Of which Act we have a full and particular account in the Lower-House Journal Sess. 14. Mar. 24.—That the Prolocutor (according to Custom) might be able to lay before his Grace a *Schedule of the Absents in the Lower-House, de mandato Domini Prolocutoris facta fuit publica Præconizatio omnium Citatorum ad comparend. in hac domo, juxta consuetudinem alias usitatam, & juxta tenores Mandatorum & Certificatoriorum alias respectivè coram ipso Reverendissimo Patre Domino Cant. Archiep. &c. exhibitorum & introductorum:* The Prolocutor and the whole House being immediately sent for, *Reverendissimus querelatus est de incuriâ, negligentia & contumacia citatorum, &c. & non comparentium &c.*—& tunc, porrecta sibi *Schedula Suspensionis, una cum Scheda continente nomina & cognomina contumaciter Absentium ab hac Sacra Synodo, idem Reverendissimus eos omnes & singulos in hujusmodi Scheda nominatos, à Celebratione Divinorum & omnimodo Exercitio Ecclesiastica Jurisdictionis suspendit; prout in ipsa Scheda penes Registrarium ipsius Reverendissimi quoad Superiorem Domum remanen. continetur.*

These therefore, in short, are the Grounds which give the Archbishop an undoubted Power over the Members of the Lower-House exclusive of the House it self. It is an inherent Right of the See to require the Attendance of the Inferior Clergy in his Provincial Convocation: And a right to require Attendance, includes and supposes a Power of enforcing it when requir'd: That Right has been ever exercised, and this Coercive Power express'd, in the Archiepiscopal *Mandate or Summons:* The Returns of the Persons Sum-

The Substance of the Arguments for the Archbishop's Power over the Members.

mon'd

mon'd are made *immediately* to him, that he may know upon whom the *obligation* of attending lays; and also rest *ultimately* with him, as a testimony of his *Right* to such Attendance, during the Convocation; his *Summons* being not *simply* to appear before him, but with the addition of such *further Days* as he shall see convenient, *cum continuacione dierum prout convenit*. According to the several *Returns*, it has ever been the Custom, at the opening of the Convocation, to call over all the Members, and to pronounce the Absents *Contumacious*. In the Course of their Proceedings, his Grace as *Presiding in Person* over the whole Body has either suspended the Punishment from time to time, or inflicted it upon particular Persons, as he saw Occasion: Sometimes, when Business of great moment was under Consideration, giving general *Admonitions* not to depart before the Conclusion; at other times, *Licensing particular Members* to go away upon reasonable Causes alledg'd and approv'd, and at the end, either by way of Grace *remitting* the Penalties threatn'd, or confirming them by a formal *Execution*.

All these, belonging to the Archbishop and to him alone upon the Foundation of *Law* and *Prædilectio*; it has been wonder'd how his Power over the Inferior Clergy in point of *Attendance* could be made a question: Especially, when those of the Lower-House, who claim a *concurrent Right* (tho' some of the Departers *acted* the last Session as if it had been *solely* in that House) don't pretend any *Coercive Power* over their own Members: And yet I take a right to *grant* leave, to suppose a right of *Refusing* it; and a right to refuse, without an *enforcing Power* in case the Member depart, to be somewhat singular both in *Law* and *Reason*. Suppose one or more Members to be

The Claim of the Lower-House to a concurrent Power confuted.

The Lower-House have no Coercive Power over their Members.

ne-

necessary to some Purposes depending in Convocation, neither the Prolocutor nor the Lower-House can oblige him to come up or attend longer; nor have they any way to bring him thither or to keep him there, but by Application to the Archbishop (in whom the *Coercive Power* rests) and by his Grace's Admonition, and Censure in case he will not readily comply. So that what the Narrative means in saying that they have a *Power of demanding the Attendance of their Members*, I am yet to learn; because (as I understand the word) all *Power of Demanding* necessarily supposes a *Right in Law* to prosecute upon refusal; and they have not aim'd at the proof of such a right in *themselves*, tho' they could not but see the necessity of clearing that point before their way could be made to the other.

I know, they observe in another Place, that the Prolocutor has a *Power to reserve the Punishment* (meaning the Punishment of *Contumacy* pronounced against the Absents) as well as the Archbishop, in whose *Schedule* it is always, immediately after the Sentence, added, *pœnâ sibi reservatâ*. And it is easie to imagin, how the Person, upon whose Sentence the *Guilt* is contracted, reserves the *Execution* of that Sentence in his Power; but how a Man can *suspend* the Infliction of the *Punishment*, who had no part in pronouncing the *Guilt* (which is the Prolocutor's case,) is not so easily comprehended. They say indeed (to avoid this Absurdity I suppose) that they don't mean *reserving in the first Instance the Punishment to himself*, according to their Lordships *Construction* of *reservata pœna*; but *reserving the Punishment for a Synodical Act*, which the words they conceive will bear as well. But before they induce others to conceive so, it will be necessary to show

Nar.p.49.

Nar. p.34.

The Prolocutor reserves Punishment only in the Presidents Name.

Ibid.

show in what instance any one Member of their House was ever punisht for Absence by a *Synodical Act*, or any other way, than by a Sentence of *Suspension* solemnly pronounc'd by his Grace, of whose Authority in *Summoning* a Convocation their Absence is a Contempt: And the Punishment can certainly be *reserv'd* to no other Power, than that which has always finally *inflicted* it. Accordingly, in the very first place where that Journal speaks of the Prolocutor's *reserving the Punishment*, it expressly mentions it as done by the direction of his Grace.—*Anno 1586. Sess. 1.* The Prolocutor and the whole House being call'd up, *Reverendissimus Pater Dominus Cant. Archiepiscopus, ob paucitatem Comparentium, &c. intimavit Domino Prolocutori absentes ob eorum Contumacias Suspendend. fore debere, &c.* Upon this they go back, and having call'd over the House, *Dominus pronuntiavit eos & eorum quemlibet Contumaces, &c. reservata eorum poenâ in diem Mercurii*, the day to which the Archbishop's Schedule had Contin'd the Convocation and suspended the *Certificates*. *Sess. 2, 3, 4.* The Contumacy not being yet pronounc'd by the Archbishop, the Prolocutor (after coming, in every Instance, from the Upper-House, and his delivery of other Messages from thence to the Lower) *reserves the Punishment*; in the same sense that after the Continuation Intimated from the Schedule, he in virtue thereof *admonishes* all the Members to be present at the day; according to Archbishop Parker's description of the Office: *Ejusdem Prolocutoris est monere omnes ne discedant Civitate London, absque licentia Reverendissimi; quodque Statutis diebus tempestive veniant ad Convocationem.* Which shows the meaning of an Expression, in the form whereby Archbishop Bancroft suspends three Members
of

of the Lower-House for departing without Leave: *Bancr. Register.*

Cum nos, &c. omnes & singulos alios Decanos, &c. & alios quoscunque in dictâ Convocatione comparentes, & ab eadem sine Licentia nostra in ea parte obtenta recedentes, aut mandatis nostris licitis vel Prolocutoris dictâ Convocationis minimè obtemperantes, pronunciaverimus Contumaces, &c. Here, the *Mandatum Prolocutoris* can signifie nothing but the *Admonition* to attend regularly at the Day appointed by the Archbishop, given always by the Prolocutor, in pursuance of the *Intimation* thereof from his Grace's Schedule, *Monuitque omnes, &c. ad interessend.* A Clause, that the Actuary of the Lower-House in the last Convocation ought not to have added to the Adjournments to *Intermediate* Days as well as others; because he knew that the Archbishop had declar'd *against* their meeting on those Days, and 'tis plain from hence, that no *Authority*, but that of his Grace, can warrant such an *Admonition*.

But as to the *Leave* to depart, and the Place of Application; in these (we see) the forecited Passage directs us *solely* to the Archbishop; whose Licence either *immediate*, or by the Prolocutor (the conveyer of his Grace's Pleasure to the House in all *other* particulars) is absolutely necessary. In 1586. Sess. 10. after the *Admonition* to be present according to his Grace's Schedule, the Journal (as I observ'd before) mentions five, who *ex Relatione Domini Prolocutoris isto die fuerunt licentiatî quoad eorum personalem comparitionem*. And (not to omit the smallest Objection) this teaches us how to interpret that short hint which is in the List before the Minutes of 1640. over against the Name of one of the Proctors

The Prolocutor can give no Leave but as empower'd by the President.

V. Supr.

Narr.

Pag. 49.

for Gloucester-Dioceſe, *Venia Mri. Prolocutor. ratione mortis filii*. In other Parts of that Catalogue, we find the Archbiſhop's *Leave* in ſuch Caſes directly expreſs'd; and in this, the Lower-Houſe will as little own, as his Grace, that the Prolocutor could give it by his *own* Authority. For when in the *Narrative* they aſſert a Power of giving *Leave concurrent* with that of his Grace, they do not make the Prolocutor, but the *Houſe*, the Subject of that Power: *If either the Archbiſhop or the Lower-Houſe give a Leave of Abſence, it is of Courſe to be interpreted ſo far only as the Claim of them that give it is concern'd: So that the Member is not perfectly at Liberty without Leave from both.* How groundleſs this Notion is, I have prov'd at large; but it ſhows however, that in their Senſe the *Venia Prolocutoris* can be no more than a Declaration of Leave given by *another*: And nothing but a Reſolution to be Obſtinate, can make it ſuggeſted that this *other* muſt be the *Houſe* (which before the laſt Convocation, does not once appear to have interpoſ'd directly or indirectly in that Matter) and not the *Archbiſhop*, who as he has been prov'd to have the *Legal Right* to give Leave, and to have frequently done it in Perſon, ſo the Prolocutor's is the Hand whereby he conveys all his Meſſages to the Lower-Houſe, and by whoſe *Relation*, as we are ſure from an exact Journal of their own, Five of the Members were formerly *Licens'd* to depart.

The
groundleſs
Practices
of the laſt
Lower-
Houſe, in
giving
Leave to
be abſent
and ad-
mitting
Proxies.

But be the *Claim* of ſuch a *Power in the Houſe* as groundleſs and unprecedented as it will, 'tis in Fact certain, that it was openly and frequently *exercis'd* by the Majority of the laſt Lower Clergy—Seſſ. 7. *Et tunc Venerabiles Viri Subſequentes*

sequentes petierunt licentiam sese absentandi ab hac Domo; cui consensus fuit ab hac domo. Sess. 13. Two Persons—— desir'd Leave to go into the Country—— Sess. 20. Mr. Archdeacon—— desir'd Leave to go into the Country to hold his Visitation. In the 24 Session, another Member askt the same Favour; as in the 27th, not only Leave for Absence was desir'd, but also that a Proxy might be admitted, which the following Chapter will show to be equally out of the Power of the Lower-House.

C H A P. III.

No Power in the Lower-House to admit or deny Proxies.

The Lower-House have no Power to admit or deny Proxies.

Narr. p. 50.

IT is upon the Supposition of a Power in the House, to admit or deny Proxies, that they build their Claim of a Right to give or deny Leave. So the Narrative represents it: *But the Power of the Lower-House to admit or deny Proxies, which has been always exercis'd, and never disputed, what else is it but a Power of giving or denying Leave to be absent?* It was wisely done, to obtrude this Doctrin upon the Reader as a *self-evident Truth*, because particular Proofs of it were not to be had either from *Law or Practice*. We have already explain'd, how at the *Opening* of the Convocation, the Archbishop appoints a Commissioner to inspect and receive Proxies of all kinds, and to judge of the fitness of the Person substituted; to examin the *Causes* of Absence, and to admit or reject the several *Excuses* for non-attendance; those (I mean) that are then offer'd in pursuance of the Clause in his Grace's Mandate, which declares that none shall be excus'd, *nisi ex causâ necessariâ tunc ibidem allegandâ & probandâ ac per nos approbandâ*. This Summons to appear on a certain Day, *cum continuatione dierum prout convenit*, is not satisfied by a Personal Attendance at the *Opening*, but evidently extends to the whole Time of his Grace's Continuing, and the Convocation's sitting thereupon. There is therefore

fore the same Obligation in *Law*, not to *depart* in the *middle* without the Archbishop's Approbation of the *Cause*, as not to be *absent* at the beginning without sending it up and laying it before his Grace or his Commissioner: And, on the other Hand, if his Grace's Approbation of the *Cause*, be of it self a legal and entire Discharge from *attending at all*, why is it not a sufficient Warrant to *depart* before the Attendance be *entirely* pay'd?

Agreeable to the *Law* of Convocation, the *Practice* has been, as to apply to the President for leave to depart and Substitute a Proxy, so to enter Proxies of that kind in the Register of the *Upper-House*. In that of 1640. (the Catalogue whereof, at the beginning, is the chief Light we have of this kind) frequent mention is made of *Archdeacons* appearing by *Proxies*, with the Name of the Persons substituted by them. Mr. *Wade* was then Register of the *Upper-House*, and in the List before the Minutes of the *Lower-House*, we find it often added over against the Names of Absent Members, *Wade habet Procuratorium*; and W. (for Brevity's sake) *habet Procuratorium*: As the Memorandum enter'd at the Archdeacon of *Derby's* Name, is remarkable to the present Purpose; *Comparuit per Prol.—Mr. Prol. habuit Procuratorium & exhibuit Mro. W.* But there are Entries of this kind yet more distinct, in the Catalogue before Mr. *Mundy's* Minutes of 1661. where the Actuary of the *Lower-House* notes thus:

Archidiaconus Col. constituit Dom. Porey ejus Procuratorem, & reliquit Procuratorium penes Registrum.

Archidiaconus Wellen. constituit Magistrum Franklin. S. T. P. in Procuratorem; & reliquit Procuratorium penes Registrum.

Archidiaconus Huntingdon comparuit, & constituit Do. Layfield ejus Procuratorem; & reliquit Procuratorium penes Registrum.

The en-
tring of
Proxies in
the Low-
er-House-
Book, no
Argument
of their
Right to
admit
them.

'Tis true, several of the Proxies we meet with in the Upper-House-Book of 1640. are likewise taken notice of in the Catalogue before the Minutes of the *Lower*; and the Reason is obvious, because they were to be *produc'd* and *exhibited* there, whenever the House were occasionally to *divide* upon any Point. Others also are set down in the Minute-Book, without any mention of them in the Register; because his Grace's leave is frequently given in the *Intervals* of Sessions, and may not therefore directly come to the notice of the Upper-House-Register, but cannot escape the Knowledge of the Actuary in the *Lower*; where the Proxy left behind is to be consider'd upon all *Divisions*.

But that the receiving of *Proxies* exhibited, belongs *Properly* and *Solely* to the Register in the Upper-House, appears from these three remarkable Circumstances: 1. That by Archbishop *Whitgift's Table*, he *alone* has a right to the Fee assign'd for Exhibiting such Proxies. 2. That *this* Fee is constantly pay'd to him, and none to the Actuary of the Lower-House. 3. That when
the

the Actuary either receives an *Instrument* of Proxy or the *Fee* of Exhibiting it ; the Instrument is always deliver'd and the *Fee* accounted for, to the Register of the Upper-House.

Nor was it material in which *Book* the Entry was made, so long as the Member had the President's leave to *depart* and *substitute* ; the *Notaries* of each House being equally under the Jurisdiction of the Archbishop, and Members of his Court: As the *Books* themselves at the end of every Convocation, are equally deposited in the Registry of his Sec. For that the *Actuary* of the Lower, as well as the *Register* of the Upper, is properly the *President's* Officer, cannot be deny'd, when the very Original Table of *Fees* for the Vicar-General's Office, establisht by Archbishop *Whitgift*, appoints among the rest *Feoda Actuario Domus inferioris Convocationis solvenda*.

The *Actuary* of the Lower-House, an Officer of the Archbishop.

According to which Table, the Fees of the Lower, as well as the Upper-House, are demanded and pay'd; and a Copy of that Table, so far as it concerns the Convocation, is enter'd at the beginning of the Act-Books of each. And so I find in 1640. that he in whose Book the *Proxy* was first enter'd, commonly receiv'd the *whole* Fees, and the other only enter'd a Memorandum that they were pay'd (*Sol. Wade 7 s. 8 d.* or *7 s. 4 d.* is the usual Note in the Minutes) because they were the Fees of the *same* Court, and the respective *Proportions* were assign'd by the *same* Authority.

Add to this, what we meet with in their own Accurate Journal of 1586. Sess. Ult. where the Notary having observ'd his Grace's *Suspension* of the Absents, says, *prout in ipsa Scheda, penes Re-*

gistrarium ipſius Reverendiſſimi Patris quoad Superiorem domum remanent. continetur; which ſurely can imply no leſs, than that the Preſident had a like Officer alſo in inferiore Domo.

That therefore the Names of *Proxies* appear upon the Journal of the Lower-Houſe, ſhows no more, than that 'tis fit that Subſtitutions made by the Preſident's Authority, ſhould be recorded by an Officer of his own, and then depoſited in the Registry of his Sec. But the bare bringing in and exhibiting of *Proxies*, or even the Lodging the Inſtruments in the Actuarie's Hand, is far from proving a Right in the Houſe to admit them: For that muſt include a Power of denying, and as we have ſhown that the Preſident has frequently licens'd Members of their Houſe to go away upon Subſtitutions, ſo it lays upon them to produce any ſuch Inſtance attended with the leaſt mark either of the Members asking their concurrent leave, or of any Doubt or *Scruple*, whether thoſe Members ſhould depart, or their *Proxies* be admitted. What they claim in this Caſe, is a *Negative* upon the Preſident; but what can ſupport that Claim beſides ſuch Teſtimonies of *Denial* or *Scruple*, I cannot ſee.

There is (I confeſs) a Clause in the Lower-Houſe Journal of 1586. Seſſ. 3. that ſeems at firſt ſight to imply a concurrent Power with the Preſident in this Buſineſs of *Proxies*: *Et tunc Ego Notarius antedictus* [i. e. Tho. Barker, Actuary of the Lower-Houſe] *ex mandato Domini Prolocutoris, monui omnes iſto die comparentes ad exhibend. & introducend. Procuratoria, ſi qua habeant, ad comparend. pro Abſentibus citatis ad comparend. in hac ſacra Synodo prox. Seſſione.* That the

the Prolocutor could give this Admonition by his *own* Authority, is inconsistent with their Claim in behalf of the *House*; the Power whereof would doubtless be contended for upon this Precedent, were we not sure that what he did was by *Order* of the Archbishop. At their first meeting after a Prorogation, the President intimates to the Prolocutor the offence he took at the thinness of the House, and his Resolution to proceed against the *Absents*. Sess. 3. we find this Note in the *Extracts* out of the Upper-House-Books, *Archbishop orders all Proxies of the Lower-House to be brought in*: And in the very same Session it is, that the Prolocutor admonishes all *ad exhibend & introducend. Procuratoria*.

From these Accounts (and these are all I can meet with in the Registers) it appears that the President as in *Law* so in *Practice* also, hath the sole Right to *admit* or *deny* Proxies; and their giving leave for *Absence*, being grounded upon the supposition of a *concurrent* Power in the Lower-House to *admit* Proxies, these two Claims must of course fall together. But, that some late Practices may not grow into Precedents, it seems to be a necessary Enquiry (and I hope they who are concern'd, will make it in time) how the Instances recorded in the Acts of the late Lower-House are to be reconcil'd to the *Constitution* or *Usage* of an English Convocation.

The late Irregularities in this Business of Proxies.

Sess. 16. May 5. *Et postea Georgius Fulham S. T. P. exhibuit Procuratorium Speciale sub manu & Sigillo Thomæ Sayer S. T. P. Archidiaconi Archidiaconatus Surria, concedens potestatem dicto Georgio Fulham, nec non Samueli Palmer, comparendi pro eo in Convocatione hac die. Quod Domini admiserunt.*

Sess.

Sess. 27. Jan. 13. Mr. Bridges pray'd his Proxy might be admitted.——

Add to these, the Orders they took upon them to make in relation to *Proxies*, as within their own Power and Cognizance.

Sess. 7. *Et tunc motâ questione de numero Procuratoriorum per quodlibet membrum in hac Domo exhibendorum, decreverunt, nemini licitum esse, de cætero, ultra numerum trium in hujusmodi domo exhibere.*

Sess. 8. *Decreverunt & declararunt, ' That the Proctors for the Clergy may make Proxies, pursuant to the former Practice of this House, tho' such Proctors have not appear'd personally.'*

Which former Practice, I fear, consists not of above one Instance; and yet even that is more than they have, to warrant this interposing in the Regulation of Proxies. In the Extracts out of the *Upper-House-Books*, Anno 1584. we meet with an Order, 'That none be hereafter Proxy for a Dean or Archdeacon, but one of the Lower-House: And a question mov'd at the same time, Whether fit that a Dean or Archdeacon of the Lower-House should be Clerk of the Convocation. In the Lower-House-Books, we likewise find Orders made for preserving Decency and Regularity in their own Debates, Dec. 2. 1640. and May 22. 1661. But that they have in any one Instance before the last Convocation, undertaken to give leave for Absence, or to admit Proxies, or to interpose, in any kind, about the Attendance of Members, is more than I have yet been able to dif-

discover. For I cannot think, that those Substitutions in the first of Queen *Mary*, and the Order then pass'd for a Liberty to chuse any Members of the two Universities to sit with them in Convocation, will be regarded in the present Case; Especially, when the Business of that Convocation was under the immediate direction of the Court, and acted in some Respects by Commission from thence, and when the *want* of the Upper-House-Register leaves it uncertain, whether these Appointments (as all others of that kind have done) came not Originally from thence.

If it be said (as it was by some at the beginning) that tho' the *additional* Leave of the House be not *necessary*, it can however *do no harm*; it may be remember'd, that in the Eye of the Law no kind of Possession is so tender as that of *Jurisdiction*, nor any Invasions so strictly forbidden, as the unwarrantable Exercise of another's Authority. And every good Man will concur with the *Laws*, in a more than ordinary Zeal for the preservation of an Authority, that has been always enjoy'd by his Predecessors, of which he is not the *Proprietor*, but rather the Guardian; of a thing, not at his own disposal, but that which he is bound in Conscience to transmit *entire* to Posterity. And when the same Laws have moreover vested in him a *Coercive* Power, sufficient to defend that Jurisdiction; he must be excus'd (when Men will not be *otherwise* kept within their proper Bounds) if he be *forc'd* into a Resolution not to *lose* the one for want of *using* the other.

The *additional* leave of the House, an Invasion of the Presidents Authority

The

Narr. p.
49.

The Members who departed silently without Leave, either from his Grace or their own House, might presume upon the known Tenderneſs of the Preſident, and the improbability of any ſuch Buſineſs as might make their further Attendance ſerviceable to the Church. But the *asking Leave* of the Houſe, eſpecially in thoſe who departed upon that without attending on his Grace, was a plain and open *Contempt*, which nothing but a very great degree of *Goodneſs* and *Clemency* could have overlook'd. In that, even their own *Principles* forſake them: which, with a *Power in the Houſe* to give Leave, aſſert the neceſſity of having the *Preſident's* too.

Thus have I conſider'd at large the Power of the Preſident to require the Attendance of the Inferior Clergy in Convocation; who therefore when their Privileges were either endanger'd or actually invaded, have apply'd to the Upper-Houſe as the known *Guardians* thereof. In the Year 1486. Feb. 17. I find the Prolocutor making his Requeſt in Form, that the Clergy may enjoy their ancient Privileges: *Et Petitum erat per præſatum Prolocutorem, ut Prælati & Clerus ad Convocationem evocati, ſuis gaudeant antiquis Privilegiis & Libertate. Cui Reverendiſſimus Pater reſpondebat, quod in quantum poterit, voluit ea obſervari.* In the ſame Manner, at the opening of the Convocation, Ann. 1488. Mr. Humfridus *Officium* [Prolocutoris] in ſe aſſumens, humiliter petiit ut *Sancta Mater Eccleſia, ac eorum Clerus, ad dictam Convocationem congregatus, ſuis Juribus, Immunitatibus, & Privilegiis hætenus ſibi indultis gaudere poſſint.*

But

But more near and direct to the Point in Hand, are the Applications of the Lower-Clergy to the Upper-House, upon *Interruptions* in their Attendance; praying *Protection*, according to the Statute 8 H. 6. c. 1. which gives them a freedom from *Arrests*, &c. equal with the Members of Parliament.

Anno 1603. The Prolocutor had two *Subpœna's* served upon him: He complain'd to the President (*Sess. 19.*) and care was taken, to have one of the Offenders Arrested in a Legal Way; and then being conven'd before the Bishops, he was sent down to beg pardon of the Prolocutor and Lower-House; as the other was brought upon his Knees in the *Upper-House*.

Anno 1624. May 28. The Extracts out of the *Upper-House Register* have this Note: ' A petitory Letter to the Bishop of *Lincoln*, Lord Keeper, to suspend a *Subpœna* serv'd upon Mr. Murrel, *Archdeacon of Norfolk*, by reason of his Privilege of Convocation.

Anno 1640. Sess. 13. May 18. Prolocutor querelatus est Breve de Subpœna è Curia Scaccarii esse executum in Doctorem Burgis Archidiaconum Roffen. & petiit Privilegium Convocationis. Unde Reverendissimus Pater Dominus Archiepiscopus voluit ipsum Prolocutorem cum consensu Domus Inferioris ad concipiendum Actum quid eis in hoc negotio expedire videbitur, & ad transmittendum istum Actum ad hanc Domum Superiorem, ut ipse & Confratres sui de eodem considerent.

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The only observation I shall make upon these Instances, is, that the *Honourable House of Commons* having a Power to require the attendance of their Members, and to protect them in it, are known to make no Applications of this kind: Nor would there have been *occasion* for them in the *Lower-House of Convocation*, if the Members thereof had a separate Right in themselves to take cognizance of these Matters.

C H A P.

C H A P. IV.

The Election and Office of a Prolocutor.

WHile the Archbishop, Bishops, and Clergy, were us'd to Debate in a Body, the Clergy upon any Emergency that requir'd separate Consultation, were directed to *Retire* for that end. The Result of their Debates was to be reported Above; and that made it necessary to fix upon some one of the Members to represent the *Opinions* or *Resolutions* of the rest; the whole Body being all the while present, and he only distinguish'd by speaking in their Name. From thence he had the Stile of *Prolocutor* and *Organum Cleri*; and, from his relating to the President and Bishops the Effect of their Debates, that of *Referendarius*.

1. At first, they were chosen only for *particular Occasions*; for these being over, we find no Marks of a further design in the *Choice*, or a longer continuance in the *Office*. Prolocutors at first chosen only upon some single occasion.

Anno 1394. Febr. 17. The Clergy present their grant to the Upper-House, *per Venerabilem Virum Magistrum Johannem Barnet, Offic. Curiae Cant. ad hoc specialiter electum.*

Anno 1399. Oct. 13. Dominus Archiepiscopus misit pro ceteris Pralatis & Procuratoribus Cleri — quod venirent de Domo Capitulari ad Capellam Beatae Mariae coram eo & dictis Suffraganeis suis, Gravamina,

The Election and Office

mina, siquæ haberent, de & super quibus prætendebant se gravatos, ac Reformanda si quæ scirent, proponendi. Quibus ad dictam Capellam venientibus, surrexit quidam Venerabilis Vir Mr. Johannes Maydenheth nomine Cleri Provincia antedictæ, & certos Articulos ex parte Cleri Provincia antedictæ conceptos & quamplurima Gravamina continentes perlegebat.

Anno 1400. Nov. 10. The Archbishop calls for the Articles of the Clergy; and ex eorum communi consensu per manus Venerabilis viri Mri. Roberti Hallum Archid. Cant. dictos Articulos in scripta redactos coram dicto Reverendissimo Patre & Suffraganeis suis unanimiter produxerunt.

Anno 1408. The Opinion of the Clergy having been requir'd, ipsi de Clero eodem, nomine & vice suis, per Venerabilem Virum Magistrum Henricum Ware Officialem Curie Cant. in legibus Licentiatum, præfatis Majoribus Prælatis, &c.

Three Years after (Anno 1411. Dec. 7.) we find mention made of Two Prolocutors representing the Clergy, in the same Business, and at the same Time: Archiepiscopo cum Confratribus suis in domo Capitulari congregatis, Venerabilis vir Magister Henricus Ware Curie Cant. Officialis & Philippus Morgan utriusque Juris Doctor, nonnullas Inconvenientias & Gravamina pro & ex parte Cleri, cujus gerebant Organa Vocis, exposuerunt, quæ in scriptis redacta exhibuerunt.

And not only the Lower-Clergy in general, but the Proctors of the Religious Houses in particular, are said to offer their Resolutions per Prolocutorem; the Name, as well as the Extent of
of

of the Office, agreeing equally to any Person representing the sense of a Body—*Anno 1437. May 10. Concesserunt iidem Religiosi &c. Sub certis modis & formis, in quadam Cedula, per Abbatem Gloucestriae Prolocutorem ipsorum Religiosorum porrectâ, content.*

II. The first Instance we meet with of a Prolocutor regularly chosen at the beginning of the Convocation, was that of *William Lyndwood* the famous Canonist; the manner of which Election is thus represented in the Register:

When the Prolocutors were chosen at the beginning of Convocation.

Ann. 1425. April 24. Reverendissimus Pater Causas Convocationis sue exposuit & explanavit. Quibus expositis, Decani, Archidiaconi, & Procuratores Capitulorum & Cleri, de mandato dicti Reverendissimi Patris traxerunt se in Domum Inferiorem sub Domo prædictæ Capitulari, ut de hujusmodi Causis tractarent, & unum Referendarium sive Prolocutorem ex seipsis eligerent, qui vice eorum omnium & singulorum Causas exponeret & responsa. Qui in Domum prædict. se recolligentes, Mag. Willelmum Lyndewode, utriusque Juris Doctorem, Officium Curia de Arcubus, in Referendarium & Prolocutorem hujusmodi elegerunt,

After this, we meet with several Persons in several Convocations exercising the original Office of a Prolocutor; that is, occasionally reporting the Answers and Desires of the Lower-Clergy to the Archbishop and Bishops: *Anno 1433. Nov. 12. Reverendissimus &c. fecit ad se vocari Clerum Provinciae suæ antedictæ. Quo Clero comparente, dictus Reverendissimus Pater interrogavit Venerabilem Virum Mag. Thomam Bekyngton Prolocutorem Cleri, si Clerus communicasset &*

F

conclu-

conclusisset super istis punctis five dubiis——*Anno* 1438. *Idem Clerus per Magistrum Thomam Prolocutorem suum de contribuendo ad Expensas transmittendorum ad Concilium petiit & dictis Dominis supplicavit humiliter excusari*——*Ann. eod.* They make another excuse from a Subsidy per Magistrum Johannem Lyndefeld suum Prælocutorem.——*Anno* 1439. *Richardus Andrew, Curia Cant. Officialis*, tho' not chosen at the first, is mention'd four Times, as doing the Office of a Prolocutor, viz. Reading their *Schedules* in the presence of the Archbishop and Bishops, and laying before them the *Petitions* of the Clergy. The same things that we find *John Byconil*, the Archbishop's Official, executing under that Style in the Year 1444.

The first
Instance
of Present-
ing a Pro-
locutor.

All these executed the Office; but after *Lyndewood* we meet with no regular Choice before the Year 1452. when the Archbishop, as in that other Instance, explain'd to them the *Causes* of the Convocation, and then commanded them to retire to their House and chuse a Prolocutor. But as that is the very first instance of *chusing*, so is this of *presenting* him——*Egregiumque Virum in Prolocutorem Cleri, ut præmittitur, electum Reverendissimo Patri, Reverendisq[ue] Patribus Præsentando.* He declin'd the Office, *usque adeò quòd dictus Reverendissimus Pater sibi in virtute Obedientie prædictum Onus ut assumeret, injunxit. Quo audito dictus Electus &c. onus hujusmodi in se nolens volens assumpsit.* So again, *Ann.* 1460. we meet with the same Circumstances,——*Reverendissimus demandavit omnibus de Inferiori Domo, quòd illuc accederent, & Prolocutorem eligerent*——They chose the Archbishop's Official, ac ipsum (ut moris est) coram Archiepiscopo & aliis Confratribus & Prælatiis præsentabant

tabant — Tandem, ad mandatum dicti Reverendissimi Patris, hujusmodi onus in se suscepit.

The next Convocation opens with the Choice of a Prolocutor, under all the foregoing Circumstances; only, instead of the *Obligation* to accept it, laid upon the other two by the Archbishop, it is said, *Quam Presentationem Dominus Admisit*; The Admission and Confirmation of a Prolocutor by the President, and Bishops. as in some of the Convocations that follow, the Style is *Admisit & Acceptavit*; and yet nearer to our own times, *Approbavit & Confirmavit*, de Consensu Confratrum: Which Consent is generally express'd or at least imply'd, (in that he is said to be *Presented* to both *President* and *Bishops*,) and from the first Instance of *Confirmation* in 1452.

By these degrees, we are come to the very Method of *Choosing* and *Confirming*, which Archbishop Parker lays down as an *Established Custom* in his time, and is the standing Rule at this Day — *Reverendissimus solet eosdem ex Inferiori Domo monere atque hortari, ut statim se conferant in dictam inferiorem Domum, ibique de viro docto, pio, & fideli in Prolocutorem suum assumendo consultantibus unanimiter consentiant & eligant, sicque Electum ipsi Reverendissimo in eadem domo Capitulari prox. insequen. Sessione, debita cum solempnitate præsentent.* — And when they come to *Present* him, *Reverendissimus, &c. ipsam Electionem sua Archiepiscopali auctoritate expresse confirmare & approbare non dedignabitur.*

III. The Office also of a Prolocutor, with the End of its Institution, are exactly describ'd by the same Archbishop, according to the constant usage of the Times before him — *Quoniam, si in rerum tractandarum serie unusquisque ex Inferiori domo suam ipse sententiam, quoties visum esset, diceret, aut si omnes aut plures simul loquerentur, pa-*

The Office of a Prolocutor.

The immediate
End, to
report
their An-
swers.

The
bringing
back the
Instructions
of the
President
and Bi-
shops.

reret confusionem, igitur semper hætenus observatum fuit, ut unus aliquis doctus & disertus ex gremio dictæ Inferioris domûs in eorum omnium locum ad hoc munus assumatur, ut is intellectis & scrutatis caterorum omnium votis tanquam unum eorum omnium Os & Organum loquatur, & consonam eorum sententiam eidem Reverendissimo, cum ad hoc rogatus seu missus fuerit, ceteris silentibus, fideliter referat. Qui ex hoc munere Referendarius sive Proloquutor communiter denominatur. This, as we have shown, and the *Name* implies, was the immediate End of making it an Office in Convocation, viz. the reporting the Resolutions of the Clergy to the Archbishop and Bishops, by whom they were directed, as occasion requir'd to Confer about particular Matters and return their Answers thereupon. While therefore the Clergy's ordinary Place in Convocation was the Chapter-House, the same wherein the Bishops also sat; they came back thither in a Body, and the Prolocutor (styl'd by them *Organum Cleri*, and *Vosis sua Organum*) had no more to do but to deliver the general Sense of the Clergy in the Presence of all the rest. And in this united State, whatever Directions the President and Bishops had to deliver to the Clergy, were given immediately to the whole *Body*. But as the Debates grew by degrees more *Separate*, and they also had a title to send up their Opinions and Resolutions by the Person whom upon the Archbishop's special Order they had *chosen*, and his Grace had *confirm'd* and *allow'd* to be their standing Prolocutor; this of course drew on a new *Addition* to that Office, the reporting to the Lower-House the Commands and Admonitions of the Upper. Which Branch, omitted by Archbishop Parker in his *Form of a Convocation*, when he had only the original

gizal Institution in his Eye, is afterwards mention'd in his Speech, *An. 1572. Qui* [Prolocutor] *vestra nobis desideria, nostraque vobis vicissim monita exponat atque referat.* He conveys to the Bishop the *Petitions* and *Opinions* of their Clergy, and carries back to the Clergy the *Advice* and *Direction* of their Bishops; and so by this Office, the Inconveniences of debating together are avoided, and yet the Synod remains, in effect, as *United* as ever.

Again, as *Canons* and other *Ecclesiastical Affairs* (which before had been no where consider'd but in a *Synod* of Bishops) came to be pass'd and fram'd in Convocation; the Business of the *Lower-Clergy*, as well as of the *Bishops*, encreas'd, and upon both these Accounts the Retirements of the Clergy became more frequent; 'till at last, preserving the same *Union* they had ever done as to the *Matter* and *Method* of their Business and Debates, as to the *Place* thereof they became wholly separated. And (being now remov'd from the *immediate Government* of the President as moderating the Debates of the whole Body) this brought on the Necessity of a standing *Moderator* in the Debates of the Lower-House; whom the foresaid Archbishop describes in the Office of a Prolocutor, *Qui & vestras disceptationes, ne aut longius producantur, aut acrius vehementiusque tractentur, temperet.*

His moderating in their Debates.

This being a true State of the Office and Institution of a *Prolocutor*, it is strange how that Fancy of making the Prolocutor a *President* by his own Authority in the Lower-House, could enter into the Thoughts of any one who had ever look'd into our Acts of Convocation. The several Branches of this Office, it is plain, are only Executions of what the President formerly did

The Prolocutor only supplies the President's place.

in Person, and now does by the Prolocutor, solemnly admitted and confirm'd for these Ends. While the Bishops and Clergy acted together, the President moderated the Debates of both; and the Clergy being removed to *another Place*, the Care of *Order and Decency* there was by him intrusted with the Prolocutor. In that united State, his Grace deliver'd his Directions *immediately* to the Clergy themselves; which he now transmits, as they do their *Answers*, by the Mouth of the *Prolocutor*. And yet this very Office has been made one main Argument to settle the Lower-House in greater degrees of *Independence*; tho' it was so evidently instituted to convey to them the *Authority* of the President and Bishops, and in all their Proceedings to preserve as strict a Union, as is possible in different Places of Debate.

The Prolocutors at the beginning, Officers of the Archbishop's Court.

To this Purpose (I mean, the Prolocutor's supplying the Archbishop's Place among the Inferior Clergy) it is observable, that *Lyndewood* and six of the Prolocutors who came after, *viz. Bekyington, Lyndefeld, Andrew, Byconill, Stokys, and Pykenham*, were all Officers immediately under the Archbishop; the 1st, 2d, 4th, and 5th, his *Officials*; the third, *Decanus Curie Cant.* the sixth, *Auditor Causarum*, and the last his *Chancellor*. And I find some others to be the the very same Persons who were Commission'd to receive and examine the *Returns* of the Bishops; a Business, that was *ordinarily* perform'd by the Officers of his own Court: But these, not being directly taken Notice of in the Registers under the particular Characters they might bear in his Grace's Court, I add not to the rest, whose Offices are expressly mention'd. Nor is my Observation upon these *seven* (successively Prolocutors and

and at the same time Officers under the Archbishop) intended to prejudice the *Freedom of Election* in the Lower-House; but only to suggest the Regard they then had to the President in the Choice of a Person, by whom they were to appear before him, and who was in effect to supply his Place among them whenever they debated apart from their Lordships.

With the same Design, and no other, I add the following Instances of the President's recommending to the Lower-Clergy the Choice of particular Persons; who were accordingly elected.

Prolocutor sometimes recommended by the President.

Anno 1562. Archbishop Parker order'd the Clergy to retire to the Choice, *Commendans illis maxime Decanum Ecclesie Cathedralis D. Pauli London, Alexandrum Nowel;* and we find him presented and confirm'd in form, the next Session.

Anno 1588. the Dean of St. Paul's *ex parte Reverendissimi Patris Joh. Cant. Archiep. significavit ut ad Electionem futuri Prolocutoris procedere licite & liberè valeant & possint; & Commendavit eis Venerabilem Virum Magistrum Johannem Styll tunc ibidem presentem. Unde omnes tunc presentes uno ore eundem Magistrum Johannem Styll sine morâ in eorum & dicti Cœtus Inferioris Domus Cleri Prolocutorem & Referendarium concorditer unanimi consensu nominarunt & elegerunt, nemine contradicente.*

Anno 1605. The Extracts out of the Registers of the Upper-House say thus; the Archbishop recommends Dr. Overal Dean of St. Paul's to be chosen Prolocutor, in the room of Dr. Ravis made Bishop of Gloucester.

But whether the President recommended or no, 'tis certain that the Clergy have never us'd

The Order or Leave of the President necessary before they can proceed to the Choice.

to proceed to their Election without the antecedent Order or Leave of his Grace: *Reverendissimus demandavit, praecepit, monuit*, has been and is the Language in which our Registers ordinarily express it: And in the Convocation of 1586. (as well as that of 1588. which I just now mention'd) the Archbishop's Leave is directly express'd in the Journal of the Lower-House: The Dean of St. Paul's, *ex parte Reverendissimi, &c. significavit ut ad Electionem futuri Prolocutoris procedere licet & libere valeant & possint*; but without any Recommendation accompanying the Notice.

In case of death or promotion, no new Election but by the President's Order.

And as in the beginning, so in the middle of a Convocation, in the case of the Death or Promotion of a Prolocutor, a new Election is not yet pretended to be made without the President's special Direction. Thus,

Anno 1541. *Reverendissimus evocari fecit Clerum Inferioris Domûs; quibus exposuit illos debere eligere novum Prolocutorem per mortem D. Gwent.*

Anno 1677. *Cleri hujus domûs coram Reverendis Dominis Episcopis personaliter comparentes, & requisiti ut recederent in domum suam propriam, & eligerent aliquam personam idoneam e gremio ipsorum in Prolocutorem sive Referendarium Convocationis praesentis, loco ultimi, nuper in Archiepiscopum Cant. promoti.*

Anno 1661. Febr. 18. *Præsdens, &c. voluit ad se accersiri Clerum Domûs Inferioris Convocationis; quibus advenientibus dictus Dominus Præsdens antedictus (in verbis latinis conceptis) eosdem Cleros dictæ Domûs Inferioris monuit quatinus ad solitum & consuetum Conventûs sui locum sese conferentes, unum virum gravem, doctum, & peritum de gremio suo provideant & eligant in eorum Prolocutorem & Referendarium in loco Reverendi Viri Henrici Fearnæ*
sacra

sacra Theologia Professoris, ultimi Prolocutoris ratione promotionis suæ, ad Episcopatum Cestren. jam vacan.

Anno 1664. Nov. 25. Dominus Episcopus London. Cleros dictæ Domûs Inferioris monuit quatenus ad solitum & consuetum Convētiûs sui locum sese conferentes unum virum, &c. eligant in eorum Prolocutorem & Referendarium in loco veneribilis viri Johannis Barwick sacrae Theologiae Professoris, ratione ejus mortis, jam vacan.

2. The Person chosen upon the Order or Leave of the Archbishop, is solemnly presented to his Grace and his Brethren for their Confirmation; which our Registers always express in Terms signifying his Acceptance of him, with the conveyance of Power and Authority for the Execution of the Office: *Cum consensu Fratrum admisit, accepavit, approbavit, ratificavit, or confirmavit.*

3. As he receives his Authority from the Archbishop and his Brethren, so upon a remarkable Invasion of that and of the Privileges of Convocation in his own Person, we find him directly applying to the Upper-House for Protection. The Case hapn'd in the Year, 1604. Sess. 19. and is thus represented by the Extracts out of the Registers of that House: "The Prolocutor complains to the Bishop [Presiding] that he had two Sub-pœnas served upon him by Harrington and Walker, notwithstanding his Privilege. The President answers, that the King was acquainted with it, and that Walker was arrested for it by a Serjeant at Mace, and a Warrant gone for Harrington— Sess. 20. Walker abovesaid consented before the Bishops, sent to the Lower-House to beg Pardon of the Prolocutor and House; which he did, and was dismiss'd pro tempore—

" Sess.

" Sess. 32. Harrington brought upon his Knees;
 " for serving a Sub-pœna upon the Prolocutor.

If the Inferior-Clergy of that Time had thought their *House* to have a sufficient Power in this Case, they would (I suppose) have *protected* their own Prolocutor: Or, if they had reckon'd it consistent with their Duty, as Members of the same Convocation with the Metropolitan and Bishops, to seek for Refuge otherwise than by *Recourse* to their Lordships, the Prolocutor would scarce have been suffer'd to bring in question the *Independent* Rights of the House by such an Application.

The Prolocutor cannot Substitute a Deputy but by Leave from the U. H.

Two Questions remain concerning the Office of a *Prolocutor*: 1. *Whether he have Power in his Absence to Substitute another, without leave from the Upper-House?* 2. *Whether the Prolocutor being present, Messages may regularly be sent up to the Bishops by any other Hand?* I will not pretend to solve these Two, purely from the *Reasons* of the Things (which are no certain Rules in Questions of this kind;) but surely the solemn Confirmation of a *particular* Person for that Purpose, to continue during the whole Convocation, should imply an Obligation upon him (when *present*) to discharge a Duty, to which He, and He alone, has receiv'd that general Appointment: And his own *Incapacity* to convey such Messages till he be *admitted* and *confirm'd*, and thereby publicly known to be the *Mouth* or (in the Language of the Registers) the *Organ* of the Lower-House; seems to make it unreasonable, that another shall be capable of exercising that Office *without* Confirmation, that is, without being known to their Lordships to be the *Mouth* of the Lower-House, when yet the Messages are to come by him, as such. Especially, if to this we add, that neither the

the Speaker of the *House* of Commons, nor the *House* it self, have the Power of a *Substitution*, in case of Sickness or Business; who yet Act in a much more *Independent* State than the *Lower-House* of Convocation.

These Presumptions are seconded by the Authority of the Registers; assuring us that the Prolocutor has actually desir'd *Leave* of the *Upper-House* to make such a Substitution.

Anno 1533. Sess. 3. In the *Upper-House*; *Ibidem* Dominus Prolocutor D. Wolman, *affirmavit se egrotum esse, & petiit ut durante infirmitate ejus, Magister Fox, si vellet adesse, vel Magister Bell exerceat Officium suum; & consensus est.*

Anno 1554. At the end of the Acts of the *Upper-House* we find this Note enter'd. *Memo-randum, quod Vicesimo octavo Novembris, Dominus Prolocutor substituit loco suo, durante ejus absentia, Magistros Hugonem Weston, Nicolaum & Johannem Harpesfield conjunctim & divisim ad exercendum Officium Prolocutoris; which could no way have come into that Register, but that the Upper-House had their Share in the Substitution.*

The same Year, certain Minutes of the *Lower-House* mentioning the *Presentation* and *Admission* of the Prolocutor, and after that, a Debate with the Bishops in the *Upper-House*; immediately adds, *Et cum predictus Prolocutor* (who had been presented just before) *non potuit adesse dictæ Convocationi*, Substituit N. Harpesfield & Johannem Wimbleseys (the two Persons who had just then presented him, and stay'd there with him) *conjunctim & divisim in loco suo.*

On the other Hand; *Ann.* 1555. it is said, Dec. 16. *Quo die, Dominus Prolocutor substituit loco suo Magistros Cole & Harpesfield: But this was in a Legatin Council of both Provinces, and not*

in Convocation; nor have we any contemporary Accounts of the Upper-House, where some such *Memorandum* as we find in the foregoing Year might probably be made. But in the Year, 1640. May 2d. the Minutes make mention of a *Substitution*, no notice whereof is taken by the Register of the Upper-House, tho' in other Respects full and exact: Only, as to the Notice there, the Instance has this Disadvantage that the Bishops did not meet and act that Day.

Here therefore the Question rests; Whether a Certainty that the Prolocutor has actually apply'd for leave to make a *Substitution*, be not a stronger Argument of his *Obligation* to do it; than the bare want of an Entry thereof (in one Instance, in the absence both of the Archbishop and Prolocutor, on a Day when no Business was done besides the Continuation) is any Ground of a Right to do it *without* such Leave. Thus the Case stands; and under these Circumstances the Right of the Upper-House may (I think) be trusted to the decision of any Impartial Man.

No Messages can regularly be carry'd up but by the Prolocutor, when present.

The next Question is, *Whether the Prolocutor being present, Messages may be regularly sent up to the Bishops by any other Hand?* For in the last Convocation (Session 14.) a Message was sent by Dr. Finch, but rejected by the President as irregular, because not brought up by the Prolocutor: Which occasion'd a Vote of the Lower-House, That the Prolocutor himself should carry it, but *salvis juri-ribus hujus domus*.

It is true, that some Messages had been so sent up in the Convocation of 1689. but in the 9th Session the *Irregularity* was observ'd; and the Bishop of London the then President declar'd to the Lower-House, *Quod apparet per Recorda Domus Superioris Convocationis, quod quoties & quando ali-*
quid

quid fuit per dictam Domum Inferiorem superiori Domino Convocationis propositum, Prolocutor semper comparuit in propria sua persona, aliis dicta Domus secum comitantibus.

Hereupon, a Committee of both Houses was appointed to inspect the Registers: And tho' no Report be enter'd in the Journal of that Year, and the late *Narrative* affirm that they brought in none; yet the Bishops who were of that Committee very well remember, that those of the Lower-House were satisfy'd, that all their Messages ought to be sent by the Prolocutor; the Books affording no one Instance of the contrary.

I know, upon the revival of that Difference in the last Convocation, and the Censure thereof as *Irregular*, an Attempt was made in one of their Answers to vindicate it upon the Authority of a Precedent in the Year 1444. When, the Clergy after the grant of one *Tenth*, being desir'd by the Keeper of the Privy Seal to give another, sent up a *Doctor of Laws* and the *Archdeacon of Canterbury* for direction from the Bishops, whether they should proceed to the consideration of that Request; tho' *William Byconyll*, the Archbishop's Official, was Prolocutor at that time.

But, 1. In that Convocation we read of no Prolocutor as *chosen* by the Clergy or *confirm'd* by the Archbishop; and therefore tho' *Biconyll* made two several Reports from the Lower-Clergy, that must be upon a particular Choice for those purposes; such as we know was made of the Persons whom they styl'd their *Prolocutors*. 2. It does not appear, that *Biconyll* (who had done the Business of a *Prolocutor* before) was then *in the House*: On the contrary, the Circumstances make it much more probable that he was not. This Message was carry'd up on a *Munday*; and the

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Saturday before, the Clergy had granted a Subfidy, on condition that the Archbishop would *difolve* the Convocation. His Grace promis'd that he would; upon which, as the Register has it, *Plures Procuratores Cleri eo pratextu ad partes fuas recefferunt*. And it was actually difolv'd on the fame *Monday*.

However, its *not appearing* that he was there, is reafon enough why it can be no Precedent in the prefent Cafe; and no *other* Testimony has yet been aim'd at. Indeed the Drawers of the Narrative feem to have been apprehenfive that the Acts would afford none, and that therefore they fhould be forced to relinquifh their Claim:

No. P. 45. If (fay they) the Precedents over-rule this Matter, 'twill become us to fubmit.

C H A P. IV.

By what degrees the Inferiour Clergy became a Separate Houfe from the Bifhops.

The falfe
Account
of the late
Narrative,
of the L.
H. p. 6.

THE late Narrative of the Lower-Houfe obferves, what was too plain to be deny'd, that in elder Times the whole Body of the Convocation us'd to fit together in the fame Room. But when afterwards the fame Narrative comes to fpeak of the *manner* of their occafional *Retirements*, and of the *Divifion* into two Houfes; the Accounts are agreeable to no *Ufage* but that of the laft Convocation. For in the *Registers* of thefe ancient Times whereof they fpeak, there is not the leaft ground for what they fay about the

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Retirement of the Bishops from the Clergy, or the Clergy from their Bishops at their own Motion, and upon distinct Business that belong'd properly to their Consideration: Nor does it appear, that the Division into two Houses, or the Settlement of a Prolocutor did at all arise from an imitation of the Parliament; but, on the contrary, came in gradually, and, as the occasion of them encreas'd and the convenience appear'd, improv'd by little and little into an Establishment.

While the Bishops and Clergy debated together (as they frequently did a long time *after* the regular Election of a Prolocutor) we find the Clergy occasionally directed to retire upon two Accounts. 1. When the Archbishop and Bishops found it necessary to debate any Matter in secret: As, Anno. 1376. 5. Id. Febr. *Dominus cum confratribus suis, exclusis omnibus aliis personis, secrete deliberavit*——— And the next day, *Exclusis omnibus aliis personis, super premissis deliberavit*. In these cases, not only the Clergy but the lesser Prelates also who belong'd to the Upper-House, retir'd; as these latter are said to have done again upon the same Occasion, Anno. 1428. Nov. 16. ——— *Aliis Prælatibus ad tunc ibidem in multitudine copiosis existentibus, de mandato Præsidentium se interim retrahentibus ad partem domus Capitularis hujusmodi.*

But the ordinary Occasion of their Retirement was, the Business from time to time refer'd to their Consideration by the President and Bishops. That this was the constant Method as oft as the Archbishop thought fit at the beginning of Convocation to lay before them the Causes of his calling it, will be plain to any one who shall cast an Eye upon the next Chapter: And the frequent Instances of the same kind throughout the Course

Two Reasons for the Retirement of the Clergy.

Retirement of the Clergy to consider Business, was always by the Direction of the ABs and Bishops.

The Division of Bishops and Clergy

Courſe of their Proceedings, to be produc'd in the Chapter following that, will ſufficiently prove their Retirement in thoſe Days to have been the ſole effect of Buſineſs propos'd to them by the Archbiſhop and Biſhops; and not of their own Pleaſure or Occaſions. Nor have the Registers left us to infer this, from their ſeparating immediately upon Buſineſs propos'd; but they mention it frequently as done at the expreſs Command of the Archbiſhop: *Anno. 1369. 4. Kal. Febr. Injunxit Procuratoribus Cleri quòd ſe ad partes tranſſerrent—Anno 1379. 3. Id. Maii, Præcepit quòd Procuratores prædicti exirent—* And on many other Occaſions, their departing is ſaid to be *de mandato, ad mandatum, and juxta aſſignationem Domini*; as will appear from the Paſſages quoted at large in the two next Chapters about the Entrance upon Buſineſs in Convocation. Nor can I remember any Inſtance of their Retiring, in which the Circumſtances thereof leave room for a Suppoſition, that it was at their own Motion, or upon diſtinct Buſineſs of their own: ſo far was any ſuch thing from being (according to that Account in the Narrative) the Uſage of Convocation in thoſe days.

The Place to which they retir'd uncertain for a long time.

The Place alſo to which they retir'd in ſuch Caſes, was not the ſame from the beginning, but ſettl'd by degrees. So,

Anno 1369. 11 Kal. Febr. Rogavit dictos Religioſos, quòd ſe inſimul traherent ad aliquam partem Eccleſiæ & Clerum ſue Dioceſeos & Prov. quòd ad aliam partem ejuſdem Eccleſiæ ſe traherent, tractarent, & deliberarent.—4 Kal. Febr. the ſame Year—Injunxit Procuratoribus Cleri Relig. hujusmodi, exhortando eoſdem quòd ſe ad partes in dicta Eccleſia tranſſerrent, & concordarent, &c.

Anno

Anno 1382. Nov. 19. the Place is left to their own Choice ; *Quòd convenirent in aliquo loco decenti & honesto, & de pramissis tractarent invicem.*

Anno 1383. Dec. 3. The Proctors are directed, *Quòd ad aliquem locum in tali negotio hæcenus consuetum se declinarent.*

Anno 1384. May 24. *Procuratores in Domo Scholarum in Camiterio diète Ecclesia situatâ ad invicem denegotiis ipsis tractarent.*

Anno 1394. Feb. 6. After a debate *super principali causa Convocationis* between the Bishops and Clergy ; *separato Clero ad Claustrum subtus eandem Domum Capitularem*, they there consider'd of a Subsidy.

Anno 1402. Oct. 30. The Archbishop directed them, for the Choice of a Committee, *ut in aliquo privato loco convenirent* ; and when they chose that Committee, they are said to be *in Basso sub diéta Domo Capitulari insimul congregati*—

And Nov. 10. *ad dictum Bassum sub Domo Capitulari secesserunt*—Again, Anno 1404. *Clero seorsim separato ad Domum Bassam sub Domo Capitulari.* And 1408. *Dicto Clero in valto inferius sub eadem Domo Capitulari, &c.* Where their Meeting is said, some Years before this to be, *more solito* Accordingly,

Anno 1419. the Deans, Archdeacons, and Proctors are directed to retire *in Domum suam solitam* : And two Years after (May 7. 1421.) *in Domum suam Inferiorem.*

Anno 1422. The Direction is, *Quòd recederent de Domo Capitulari & adirent Domum Inferiorem* : Under which name, *Simply*, we find it mention'd in the succeeding Convocations.

But here, two Things are to be observ'd,

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That

The L. C.
have a
House for
Debate
only.

1. That this was not styl'd the *Domus solita*, or *Domus sua* with reference to their constant meeting and sitting there; for many Years after we find them ordinarily with the Bishops in the Upper-House at the beginning of the Sessions, and present at the Debates there; the same that we also meet with now and then, in some of the latest Acts of Convocation, recorded in the old Registers, which end with the Year 1488. inclusive. It was therefore *Their* House, only for such Occasional Debates, as those for which they retir'd in the manner already hinted, and to be explained more at large in the two following Chapters.

The Place
always assign'd
by the Arch-
bishop.

2. That this place of Debate, after *Custom* and the *Name* seem'd to have appropriated it to the Use of the Clergy, was always thought and said to be assign'd them by the Archbishop.

Which two Heads are clear from the following Instances:

Anno 1408. Clerus Inferior in loco sibi Deputato constitutus.

Anno 1421. May 7. Recedentibus tunc, de mandato Domini, Procuratoribus Cleri in Domum suam Inferiorem, pro tractatibus fiendis in hujusmodi Convocationibus consuetam.

Anno 1421. Dominus demandavit, &c. quòd adirent Domum inferiorem solitam pro Cleri Procuratoribus, & ab antiquo in Cleri Convocationibus Assignatam eisdem.

The next Convocation, Oct. 16. *Recedentibus Procuratoribus in Domum Inferiorem Clero pro tractatibus habendis in Convocationibus antea celebratis solitam assignari de mandato Domini ad tractandum de & super materiis ipsis per Dominum declaratis.*

In the same Convocation: The King's Commissioners being gone, *Et finita expositione hujusmodi,*

modi, Procuratores Cleri de mandato Domini recesserunt de Domo Capitulari in Domum inferiorem, ubi tractatus Cleri Procuratorum in talibus Conciliis fieri antiquitus consueverunt.

Anno 1452. Feb. 9. It is again mention'd as a Place intended only for these *occasional* Retirements: The President commands the Clergy, *Ut ad locum eis ab olim in hujusmodi actibus solitum & consuetum, viz. locum inferiorem subtus dictam domum Capitularem ad electionem sive nominationem futuri Prolocutoris Cleri ritè processuri unanimiter infirmul declinarent.*

From the Particulars of this Chapter, there arises this natural Account of the Separation of the two Houses. While they met, abode, and debated together in the Chapter-House, their *Separations* were rare, because the Occasions *requiring* the Retirement of the Clergy, were so too. As the Business of Convocation increas'd, these *Retirements*, and by consequence the *Separations*, became more ordinary and frequent: 'Till, by degrees, upon the evident *Inconvenience* of the Clergy's going up in a Body with all their Answers and Petitions (for so they did at the first, notwithstanding their choice of a Prolocutor) the Archbishop and Bishops on *ordinary* Occasions accepted the Attendance of a Prolocutor regularly *chosen* and *confirm'd*, instead of all the rest; returning their Pleasure and Instructions by the same Hand. From hence there ensu'd a gradual Separation as to the *Place* of Debate; the *Union* and *Communication* in other respects, remaining entire, and the Correspondence about the *Business* of the Synod continuing such as is suitable to the known *Subordination* of Presbyters to their Metropolitan and Bishops.

The Separation of the Bishops and Clergy stated upon the foregoing Accounts.

Nor are the Debates themselves so *separated*, but that the Archbishop and Bishops as oft as they saw cause for debating *together*, have always *sent* for the Inferior Clergy to the Upper-House, either in a *Body* or by the *Prolocutor* with some few of the Members; *Reverendissimus, &c. fecit ad se vocari Clerum; Accersito Clero, &c.* Who coming up, and conferring with their Lordships as long as the *Occasion* of sending for them requir'd, were *dismiss'd* from further Attendance at that time; and being *dismiss'd*, return'd to their own House: *Dimisso Prolocutore, &c.* is the ordinary Style of the Registers in all such Cases; as appears from those two (of 1640. and 1661. &c.) which are publish'd at large in the *Appendix*.

Nar. p. 41.

Nar. p. 40.

41.

Ans. to
1st Let.

P. 2.

Nar. p. 17.

Power of

L. H. p. 2.

If this be a true Account (as no Account from the Registers themselves can be otherwise) it is hard to believe, that the Acts of Convocation were ever seen by those, who have lately disputed the President's Right of *Assigning* them a Place, and have talk'd so much of their *distinct Capacity* as deriv'd from an *Imitation* of the House of Commons, and rais'd so many Uncanonical Exemptions, with I know not what degrees of *Inherent Power*, from the Denomination of a *House* and their *seperate* Debates.

C H A P. VI.

The manner of ENTRING upon Business in Convocation.

THE Members of Convocation being settled by the *Returns* of the Bishops made and exhibited to his Grace; he, in virtue thereof, has a *Right* to their Attendance, as they have, to proceed with him in the Business of Convocation. And therefore, the Bishops and Clergy being together in one Body at the opening thereof, it has been the Usage of Convocation, especially when met upon Business of great Moment, for the President to explain to them the *Causes* and *Ends* of his *Summoning* it at that time. So, Archbishop Parker explains the Custom of his own and former Ages; *Reverendissimus ad Episcopos & Clerum Formam tunc presentes Anglicè sive latinè Causam sui Adventus ac dictæ Convocationis inchoatam exponit.* And another more early *Directory* for the first day of Convocation in Edward VI.'s Time—*The Clergie of this inferior House to be called up to the Chappitour; his Grace to declare the Cause of this Convocation.*

At the same time that the Registers speak of the President's declaring the *Causes of the Convocation* in this solemn manner, they generally add, that the Clergy were thereupon requir'd to go down to their House and confer about the matter propos'd to them by his Grace; who also very frequently enjoy'd the *Return* of their Answers within a certain time.

Anno 1369. Kal. Febr. The Archbishop (*assidentibus confratribus, &c. & Procuratoribus Cant. Provincia coram eo, &c.*) explains to them the *Necessity*

cessities of the Kingdom, and proposes a Supply; —And then it follows, *Et super petitione prædictâ, rogavit dictos Religiosos quod se insimul traherent ad aliquam partem Ecclesiæ prædictæ, & Clerum suæ Dioceseos & Prov. quod ad aliam partem ejusdem Ecclesiæ se traherent, tractarent, & deliberarent de petitione prædictâ. quid & quantum concedere velint; & deliberatione habitâ per eosdem, sibi referre & intimare de voluntate eorum in dictâ domo Capitulari super præmissis die crastino.*

Anno 1379. May 9. The Archbishop explains the Occasions of the Meeting, Reformation and Subsidy: And then, *Habitâ in Domo Capitulari inter Prælatos & Procuratores quadam deliberatione super materiâ Convocationis, idem Pater injunxit singulis Procuratoribus quod eodem die post prandium—in dicto loco comparerent—tractaturi super materia antedictâ.*

Anno 1383. Dec. 2. The Archbishop explains the Cause of the Convocation's meeting: And the next Session, *Præcepit Procuratoribus quod ad aliquem locum in tali negotio hætenus consuetum se declinarent, ac de & super negotio, &c. per ipsum eis exposito diligenter tractarent, & super deliberatione suâ in eâ parte Responsum sibi & Confratribus suis, ibidem protunc personaliter existentibus, meliori modo et forma, quibus poterant, præberent.*

Anno 1399. Oct. 8. *Coram Domino comparuerunt personaliter Reverendi in Christo Patres, &c. & Prælatorum & Cleri Provincie antedictæ Procuratores; & expositâ ibidem per Dominum Causa Convocationis, tractabant ipse Dominus & Reverendi Patres Episcopi per se de negotiis communibus Ecclesiæ, aliis Prælatit & Procuratoribus Cleri seorsim separatim.*

Anno 1408. July 23. The Archbishop explains the Causes of their Meeting; and then, *Clero verò*

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Inferiori à præfatis majoribus Prælatiſ ſeorſim ſeparato, & in ſcolis Theologiæ ſub domo Capitulari præfatâ juxta aſſignationem Archiepiſcopi conveniente more ſolito; iidem Venerabiles Patres, &c.

Anno 1415. Nov. 18. Reverendiſſimus Pater conveniens in domo Capitulari Eccleſiæ S. Pauli cum Suffraganeis ſuis, Abbatibus, Prioribus, Decanis, Archidiaconis & Procuratibus Cleri ſue Provinciæ in multitudine copioſâ, expoſuit eis Cauſas ſuæ Convocationis; quibus expoſitis, Decani, Archidiaconi, & Procuratores Capitulorum & Cleri, de mandato dicti Reverendiſſimi Patris traxerunt ſe in domum inferiorem ſub domo prædict. Capitulari, & intra tempus modicum redeuntes, &c. conceſſerunt Domino noſtro Regi duas decimas.

Anno 1419. Archiepiſcopo, Confratribus ſuis, Prælatiſque & Clero prædictis in Domo Capitulari inſimul congregatis, the Archbishop declares the Cauſes of his calling a Convocation; one whereof was, pro defectibus in Clero regnantibus, auctoritate illius Provincialis Concilii reformandis: Super quibus, idem Reverendiſſimus Pater aſſignavit Decanis, Archidiaconis & Cleri Procuratoribus, quòd recederent in domum ſuam ſolitam, & quòd ibidem de & ſuper materiis prædictis tractarent & communicarent, &c. Unde ipſi ſtatim, ut eis fuerat aſſignatum, receſſerunt de Domo Capitulari prædictâ; præfatis Reverendiſſimo Patri, Confratribus ſuis Episcopis, ac Abbatibus & Prioribus Provinciæ ſue remanentibus, & inſimul tractantibus de & ſuper materiis antedictis.

Anno 1422. Dominus, cum Confratribus ſuis Prælatiſque & Clero in domo Capitulari inſimul congregatis — They debated for ſome time in Common about the Buſineſs of the Convocation; and at laſt, Dominus demandavit publicè & in genere omnibus Cleri Procuratoribus tunc ibidem præſentibus, quòd recederent de domo Capitulari et adirent Domum inferiorem

solitam pro Cleri Procuratoribus & ab antiquo in Cleri Convocationibus assignatam eisdem, ibidem insimul tractaturi de habendo subsidio prelibato; & dominus dixit se & confratres suos facere illud idem.

Anno 1424.—*Domino cum Confratribus suis nonnullis, Fratrisque & Cleri Procuratoribus in domo Capitulari, &c. Dominus Causas & modum Convocationis illius publicè declaravit; habitisque nonnullis communicationibus de & super Causis ipsis, recedentibusque Procuratoribus in Domum Inferiorem Clero pro tractatibus habendis in Convocationibus antea celebratis solitam assignari de mandato Domini ad tractandum de & super materiis ipsis per Dominum declaratis.*

Anno 1425. *Comparentibus in domo Capitulari coram Reverendissimo, &c. Archidiaconis, Cleri que Procuratoribus in multitudine copiosâ ad tunc presentibus; eisdem exposuit & explanavit. Quibus expositis, Decari, Archidiaconi, & Procuratores Capitulorum & Cleri, de mandato dicti Reverendissimi Patris traxerunt se in domum inferiorem sub domo prædictâ Capitulari, ut de hujusmodi Causis tractarent, & unum Referendarium sive Prælocutorem ex seipsis eligerent, qui vice eorum omnium & singulorum Causas exponeret & responderet.*

Anno 1426. *Comparentibus coram Reverendissimo Patre, &c. Archidiaconis, Clerique Procuratoribus in multitudine copiosâ—*The Archbishop recited to them the Condemnation of William Russell, *Unde Dominus Petiit à Clero ut deliberarent per quam viam contra fautores hereticorum hujusmodi esset procedend. & habita aliquali Communicatione super hoc, Dominus assignavit Procuratoribus Cleri prædictus, ut post prandium ejusdem diei in Domum Inferiorem eisdem consuetam se colligerent, & super hujusmodi negotio communicarent.*

Anno 1428. The Archbishop, &c. Decanis, Archidiaconis, Clerique Procuratoribus tunc presentibus, explains

explains the *Causes* of calling the Convocation: And the next day he sends his Chancellor to the Convocation, *qui intimavit quòd voluntas Domini erat, quòd Prælati pro parte sua & Clerus pro parte sua eligerent certas personas, &c. quæ inter se communicarent & deliberatè viderent, quomodo & qua via esset melius & expeditius procedend. contra hereticos.*

Anno 1428. The Archbishop, &c. cum Decanis quoque, & Archidiaconis, ac Prælati aliis, & Cleri Procuratoribus, opens the *Causes* of the Convocation in the usual manner, præsertim pro aliqua provisione facienda contra hereticos, &c. Then, Clero & Procuratoribus in solitam Domum Inferiorem de mandato Domini recedentibus, Dominus cum Confratribus suis & Prælati communicationem habuit de & super Provisione seu Ordinatione hujusmodi facienda contra malitiam hereticorum.

Anno 1432. The Archbishop, as before, declares the *Causes* of calling the Convocation; one whereof was, how the Bishops and Clergy of England should carry themselves towards the Pope after he had dissolv'd the Council of Basil—Dominus mandavit Clero & Procuratoribus, quòd ad Domum suam solitam se diverterent, & insimul benè & maturè ac cum deliberatione se aviserent quomodo in materia prædicta & sub qua forma esset procedendum.

Anno 1433. Dominus, &c. exposuit Clero Causam Convocationis—Insuper Dominus movit coram eodem Clero quadam Dubia—Et post istas dubitationes motas, &c. quesivit Dominus à Clero quid in his esset finaliter dicendum seu sentiendum—Et Clerus respondit, quòd cum dicta Motiva essent talia, quæ non fuerant à pluribus eorum per antea perfectè communicata nec laborata, &c. oporteret eos de licentia Domini & suorum Confratrum, &c. quandam habere deliberationem & communicationem specialem: quod Dominus liberè concessit.

Anno

Anno 1438. Dominus—affidentibus sibi Confratribus suis Episcopis, ac aliis Pralatis & Clero ibidem existentibus, intimavit eisdem Causas Convocationis sue—De his Causis desideravit dictus Reverendissimus Pater deliberationem habere communem, & super hoc mandavit Clero ut in Domo Inferiori convenirent & super istis diligentur communicarent.

The same Year, upon a Prorogation from May 14. to Octob. 6. Archiepiscopus, &c. recitando plura suadebat Pralatis & Clero tunc ibidem existentibus, quòd cum eis non essent ignota Causæ ob quas convocati erant, super eis pro eorum celeri expeditione communicarent, &c. Unde ex mandato Domini Clero in Domum Inferiorem se colligente, &c.——

Anno 1439. Archiepiscopus, &c. coram Confratribus suis Episcopis, aliisque Pralatis & Clero sua Provincia Causas propter quas eosdem ea Vice convocaverat, declaravit—Then, the Pope's Collector presents a Bull of Indulgence; qua tunc in publico prelecta, & habita Communicatione aliquali super eadem, Dominus decrevit Copias fieri, & ipsis de Clero Domus Inferioris liberari, ad effectum ut Communicatio habeatur inter eos de modo & forma Executionis & Publicationis ejusdem.

Anno 1444. Archiepiscopus, &c. Causas propter quas eosdem ea Vice convocaverat, declarabat. One was, Qualiter in Ecclesia Anglicana fuerant plurima Reformatione digna—Unde communicante Domino cum Confratribus suis & Clero sua Provincia super pramissis, continuavit &c.——And the next Day, Dominus præcepit Clero quatenus pro corrigend. & reformand. per hujusmodi Concilium inter se diligenter communicarent.

Anno 1452. Feb. 9. Archiepiscopus &c.——Episcopis, ac aliis Pralatis, nec non Procuratoribus de Clero &c. Causam Convocationis explicavit; and then (that they might be in a Condition to bear their

their part in the Business) he commands them to retire and chuse a Prolocutor.

Anno 1460. May 10. The Archbishop first directs the Choice of a Prolocutor, and then confirms him; after which, he explains to them the Causes of the Convocation.

In these two last Instances, the Clergy are not directed to Retire, as they had usually been, to debate apart about the Matters of Convocation laid before them by the Archbishop: Because now they began, as to their *debating*, to be in a more *separate* State; so that the bare *Proposition* of Business to be Prepar'd or Consider'd, was notice enough that they were to *Retire* to their usual Place, and set about it.

The old Registers have only the Acts of four Convocations more; so that we have no light between the Years 1488 and 1529. nor any from thence to the Year 1562. besides certain *Extracts* out of the Registers of the Upper-House.

But the ancient *Directory* in *Edward* the sixth's time, and Archbishop *Parker's Form* of holding a Convocation (both of them written while the Registers of Convocation remain'd entire, and both, as above-cited, setting down his Grace's declaration of the *Causes of the Summons* as a necessary part of their preparation for Business) leave no Room to doubt whether in that Interval the same Usage continu'd, which we have shown to be the *Practise* of Convocation from the beginning of the most early Acts. Not, but that even in these *Extracts*, we find the Custom plainly enough; tho' not express'd under all the Circumstances that appear in the Original Registers. So,

Anno 1535. (the Second in that Collection) the Bishop of *London's* Return being exhibited, *Reverendissimus exposuit Causas hujusmodi Convocationi-*

cationis, & deinde monuit omnes Prælatos quatenus conferrent se ad locum consuetum, & eligant unum virum in Referendarium & Prolocutorem qui eorum nomine loqui possit.

Anno 1547. the next but one (in which, as well as in the first of that Book, the Form of Opening is very much contracted by the Abridger, and consists only of some short hints) Archbishop Cranmer is there said in general, to have acquainted them that the Convocation was then Summon'd, *quod Prælati & Cleri inter se consulerent de vera Christi Religione probe instituenda & tradenda populo*; that being the first Year of Edward the sixth. Again,

Anno 1444. The Return being exhibited, *Episcopus London* (in the Vacancy of the Archbishoprick) *Summarie & compendiosè*. *Causam Synodi vocatæ exposuit*, & monuit *Inferiorem Domum de eligendo sibi Prolocutorem*.

Anno 1557. The Archbishop with the Consent of his Brethren, having confirm'd the Prolocutor, *max Causas hujus Synodi verbo-tenus proposuit*; which are there set down at large.

Anno 1558. *Praconizatione facta*, & *Inferiore Domo evocata*, *exposuit Episcopus ibidem Causam Convocationis*.——But more distinctly in the next which is an entire Register: That, I mean, of Archbishop Parker, in which the 39 Articles were made: *viz.*

Anno 1562. *Reverendissimus Dominus Archiepiscopus Cant. brevem quandam Orationem Eloquentia plenam habuit ad Patres & Clerum*; per quam inter alia opportunitatem Reformatarum rerum in Ecclesia Anglicana jam oblata esse aperuit, ac propensos animos tam illustrissimæ Domine nostræ Regine quam aliorum Magnatum hujus regni ad hujusmodi Reformationem habendam declaravit, hortando, præci-
piendo,

piendo, & mandando *Pralatos & Clerum Inferioris Domus in dicta domo capitulari coram eo & reliquis Patribus constitutos, quatenus ad Conventus sui locum sese conferentes, unum virum gravem &c. eligant in eorum Prolocutorem.*

Anno 1640. (the next Convocation, of which the Upper-House-Acts remain,) after the Prolocutor is confirm'd, the Archbishop produces the King's License——*Et Reverendissimus Pater antedictus prefatum Prolocutorem & alios de Domo inferiori, Decanos, Archidiaconos, Capitula, & Cleri Procuratores ibidem presentes, voluit ut ipsi inter se convenirent & mature excogitarent de Subsidiis Domino nostro Regi concedend. & Canonibus & Constitutionibus Statum Ecclesiasticum & Christi Religionem in Ecclesia Anglicana concernen. concipiendis. Et quicquid inde senserent sive excogitaverint in scriptis redigant, & coram ipso Reverendissimo & Confratribus Episcopis exhibeant.*

Anno 1661. The Prolocutor being confirm'd, Committees of both Houses were order'd in the Upper-House, to compose Services for the 29th. of May, and the 30th of January, &c. And when afterwards, by the coming of the Royal License, they thought themselves at liberty to Enter upon the Business which was the chief Cause of their Meeting, the Archbishop directs the Members of the Lower-House to proceed in it; in the self same words that Archbishop Laud had us'd in the Year 1640.

I have been thus particular, in my Deduction of Authorities, to show the Right of the President to mark out a Scheme of Business to be transacted in Convocation: Beause, as by the Tenor of the Mandate (his first step in Summoning) we are led to the Foundation of his Grace's Power over the Members of the Lower-House; so in this their Entrance upon Business, we clearly see his

The Inference from the Archbishop's declaring the Causes of Convocation.

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Influence and Authority over their *Proceedings*: That is, we have the view of an *Ecclesiastical Synod*, consisting of a *Metropolitan*, *Bishops*, and *Presbyters*, all going on to Act within their proper Spheres, and suitably to the Constitution of an *Episcopal Church*. The *Metropolitan*, having advis'd with his *Suffragan-Bishops* about the State and Condition of the Church, of which He and They are constituted *Governours*, recommends to the Synod the Consideration of such *Improvements* or *Reformations* as evidently tend to its Honour and Safety. The Clergy are there in readiness to receive the *Opinion* and *Directions* of their Ecclesiastical Superiors, and to offer their own Judgment, as there shall be occasion, with all Duty and Humility; and in short, to give their Assistance of every kind (in a proper Subordination) towards the ready and effectual Dispatch of all Business that shall be regularly propos'd for the Advancement of Religion. The Archbishop and Bishops, we see, deliberate Above: And the Clergy debate the same Matters below, to be ready with their *Opinions* and *Resolutions* when requir'd: And thus they appear like *one Body* of Men, met about the *same common* Business; in which all in their several Stations are immediately concern'd: Proceeding also with such a Paternal Affection on the one Hand, and such Dutiful Obedience on the other, as becomes their holy Function, and is due to Measures for preserving the *Order* and *Unity* of the Church.

But some late Principles and Practices have another Tendency: For instance, the Clergy's proceeding in Business of the greatest Moment, and even coming to form'd Resolutions thereupon, without ever acquainting their Ecclesiastical Superiors; and much less offering them first *in general*, as Points that in their Opinion deserve or require
Consi-

Consideration, and taking the Advice and Direction of their Lordships about the *Expediency* and *Methods* of proceeding in them. To the same effect, is that Language so familiar of late among some of the Inferior Clergy in Convocation, *That they have Business of their own to do; That 'tis generally different from what is transacted at the same time in the Upper-House; That their Debates are manag'd independently from their Lordships; that the Archbishop with his Suffragans has no Right to take cognizance of or interpose in their Debates; That there is no Necessity* (be the Matter never so important) *of previous Directions from the Upper-House.* Principles, somewhat ambiguously express'd, perhaps not without a foresight of certain Objections; but being interpreted by the late Practices, their Tendency to a *Division* of the Synod, and a *Co-ordinate* Power in the Church, is no less plain, than is their Opposition to all the Proceedings of former times.

The difference between former Methods and the late Practices.

One thing more I would observe upon this Head; what little likeness there is between a *Convocation* and a *Parliament*, in their very first *Entrances* upon Business. Unless the Enemies of the *Ecclesiastical* Power will object (as they who are so fond of a *Parliamentary-Relation* are like enough to do) that the Archbishop in Convocation, opening the *Causes* of their Meeting, does only the same thing with the Lord Chancellor in Parliament; whose Office it is to *Convey* and *Enforce* to the two Houses the Instructions he receives from his Majesty. But they may understand, that as oft as the King had occasion to *solicit* Business in Convocation, he sent *Commissioners* of his own to do it; as every one must know who casts his Eye upon our *Convocation-Registers* never so slightly. These were said to come thither, *ex parte Domini Regis*; and their coming, as occasion requir'd, to represent the *De-*
fines

sires of the King and the Condition of the Kingdom, was a Custom so much known and establisht, that the Register takes notice of the *Archbishop's* doing it as a thing *Singular* and *Extraordinary*. Anno 1380. Dec. 1. *Et quia protunc Dominus meus Archiepiscopus erat Cancellarius Anglia, nec comparuit alius pro parte Domini Regis, qui exponeret Clero negotia regni sicut fieri Consuevit in aliis Convocationibus; dictus Dominus meus negotia regni & pericula imminentia satis clare exposuit.* Nor did it make any Difference in the *Form* of their Proceedings thereupon, that the first Motion came from the Court; but the Archbishop having given the Commissioners some such general Answer as this, *quod voluit super his mature communicare cum Confratribus suis Pralatis & Clero*, he immediately proceeded to that *Communication*, either with the Clergy and Bishops in a Body, or (directing the Clergy to debate in their own House) with his Brethren alone.

If it be further said, that the Necessity of a *Royal-Licence* before the Convocation can proceed to make *Canons*, &c. has restrain'd the President's ancient Power of explaining the *General Causes* of the Summons; the Answer is this, That the Persons whose present Endeavours it is to diminish the *Metropolitcal* and *Episcopal* Authority, affirm that a great Variety of *Ecclesiastical* Matters may not only be *begun*, but *transacted* and *concluded*, without the Authority of such a *Licence*; and so far the President's Right of proposing the *General Matters*, stands where it did. And as to *Canons* and *Constitutions*, if they may not be actually enter'd upon without a *Licence*, yet his Grace at the opening of the Convocation may deliver his own Judgment as to the *Expedience* of them, and refer it to the Consideration of the Bishops and Clergy, Whether it be *advisable* to desire the *Royal-Licence* for that end.

C H A P. VII.

The Right of the Archbishop and Bishops to require the Clergy to consider any particular Business throughout the Convocation.

THE foregoing Chapter shows the Right of the President, after consultation had with his Brethren the Bishops, first to lay before the Clergy the general *Causes* of his Summons, and then to require them to *Retire* and *Deliberate* thereupon. But the Scene of Business opening and enlarging it self, many unforeseen difficulties will unavoidably occur; and new Designs also for the Benefit of the *Church*, must naturally arise from the mutual Debates of the Governors thereof assembl'd in Convocation. And accordingly, when any such Occasions requir'd, the Inferior Clergy have been ever enjoyn'd to *Debate* and *Examine* all Matters propos'd by their *Ecclesiastical Superiors* for that purpose, from the *beginning* to the *end* of Convocation. The instances hereof are very numerous; but necessary to be added to the Testimonies contain'd in the last Chapters; which *without* those would leave room for an Objection, that as to the *General Causes* at the beginning, those are equally explain'd to the two Houses of *Parliament*, and yet the Honourable Members of the Lower House there, are under no such *Restraint* or *Subordination* in their subsequent Proceedings. An Objection, I say, of this sort is like enough to be started, considering how industriously those Fancies about a *Parliamentary Relation* have been in-

The necessity of showing this, to prevent an objection from the explication of the *General Causes* at the opening of a *Parliament*.

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finuated into the minds of Men. I will therefore show, that what the Archbishop does, in opening the general *Causes* of his Summons and directing the Clergy to deliberate about it at the *beginning* of Convocation; the same thing he and his Suffragans have a Right to Do upon all *emergent Occasions* during the *whole course* of their Proceedings. And this will manifest to the World, how the Constitution and Proceedings of an *English* Convocation (to the glory of it) are exactly model'd according to the *Primitive* Distinction between Bishops and their Presbyters in point of Order and Authority: while, from the most early Accounts of Convocations to this day, we see the *Metropolitan* and *Bishops* as the Governors of the Church, *Proposing* and *Directing* in Ecclesiastical Affairs, and the Presbyters at hand with their Advice and Assistance in Subservience to the same Ends.

The separation of the two Houses made no difference in this point.

Nor do we find any difference in this Point, between the Times *before* and *after* the Separation of the Bishops and Clergy, excepting this one, that *before* it they all took the directions immediately from the President and retir'd in a Body; and *since*, his Grace upon those Occasions, has either sent up for the whole House, or, which is more ordinary, for the Prolocutor with Five or Six more (*Reverendissimus, cum consensu Confratrum, voluit, jussit, mandavit, ad se accersiri Prolocutorem,*) and by him conveys to his Brethren below, the Pleasure and Instructions of the Upper House. But as to the *manner, end, or authority* of these occasional Directions, their *Division* into two Houses made not the least difference in them; as will appear beyond contradiction from the *Registers* themselves.

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Anno 1369. 10 Kal. Febr. The Clergy having granted a Supply, on condition to have their Grievances redressed; *Archiepiscopus voluit, quod Clerus & Religiosi prædicti Petitiones suas, &c. in Scriptis redigerent, & sibi porrigerent die Veneris.*

Anno eod. 4 Kal. Febr. The Archbishop having enlarg'd before the Clergy upon the necessity of a *Decima triennalis* which the Bishops had granted; *Tunc injunxit Procuratoribus Cleri Relig. hujusmodi, exhortando eosdem, quòd se ad partes in dictâ Ecclesiâ transferrent, & concordarent pro dictâ decimâ triennali.*

Anno 1376. Id. Febr. The Bishop having propos'd certain matters for the benefit of the Church, *Oneravit Clerum, in eorum Conscientiis, ut deliberarent inter se quid esset melius faciendum pro utilitate dictæ Ecclesiæ.*

Anno 1377. Id. Nov. *Dominus voluit quod Procuratores compararent simul in præsentâ Ecclesiâ [S. Pauli] dicto die post prandium, ad deliberand. ad invicem, utrum melius expediat concedere Decimas an Impositiones.*

Anno 1379. 5 Id. Maij. *Reverendissimus Pater præcepit, quòd Procuratores Prælatorum & Cleri exirent dictam domum Capitularem, inter se tractaturi super materiâ Convocationis prædictæ: quibus exeuntibus, dictus Reverendissimus Pater cum Suffraganeis in câlem Domo [Capitulari] secretè tractavit super materiâ prædict. Et post tractatum hujusmodi, dictus Reverendissimus Pater præcepit Procuratoribus quòd die fœvis tunc prox. sequente, post Prandium, convenirent ad invicem, in Domo Capitulari prædictâ tractaturi ad invicem super materiâ Convocationis prædictæ, & dixit quòd ipse & alii Confratres sui revenirent die Veneris tunc prox. sequente ad Domum*

Business enjoyn'd the Clergy

Capitularem prædictam, ad effectum tractandi materiam Convocationis prædictæ.

Anno eod. 16 Kal. Jun. Dominus, &c. mone-
ri fecit ibidem publicè omnes Procuratores Præ-
latorum & Cleri, quòd die Mercurii prox. tunc se-
quente in dictâ Domo Capitulari comparerent simul
ante horam nonam, deliberaturi & tractaturi de
modo Subventionis.

Anno eod. 13 Kal. Jun. Dominus præfixit
Procuratoribus ad comparendum in Domo Capitu-
lari dictum diem Veneris post prandium, &c. ad
pleniùs tractand. super præmissis.

Anno 1383 Decem. 4. The Pope's Subcol-
lector comes to Convocation, and desires a Sub-
sidy : The Archbishop having enforc'd his Re-
quest, præcepit Procuratoribus quòd super eodem
Negotio diligenter tractarent, & finalem respon-
sum sibi & Confratribus suis præberent. Super
quibus omnibus & singulis, habito inter ipsos
tractatu diligenti, Procuratores eodem quarto die
responsa sua in eâ parte finaliter in Scriptis re-
dacta dicto Domino Cant. coram Confratribus suis,
protunc ibidem existentibus, exhibuerunt.

Anno 1404. May 17. Archiepiscopus, &c.
continuavit — & demandavit aliis Prælati &
Clero tunc ibidem præsentibus, quòd singulis die-
bus interim ad dictum locum convenirent, & la-
borarent circa Refermandi in Cantuariensi Pro-
vincia.

Eod. Anno Jun. 9. Conveniente Reverendis-
simo, &c. & expositis periculis & necessitatibus
Regni, tandem Procuratores Cleri convenientes
sub domo Capitulari more solito, & ibidem super
prædictis per aliquantum tempus tractantes, tan-
dem abinde secesserunt, & convenerunt coram
dictis Reverendissimo Patre, & suis Suffraganeis,
& concesserunt, &c. — and again in the
same

same Year, June 16. upon the request of a Grant from the Pope's Collector.

Anno 1421. Maij 7. The Chancellors of Oxford and Cambridge coming to Convocation, Reverendissimo Patri, & Confratribus suis, totique Concilio commendabant, &c. Rogantes assidue de aliquo congruo Remedio pro promotione Pauperum Studentium in Universitatibus hujusmodi, auctoritate Concilij ad tunc inibi congregati, graciosè & misericorditer provideri — Quam quidem Recommendationem Dominus & Confratres sui gratanter & benevolè (ut apparuit) acceptarunt; & recedentibus tunc de mandato Domini Procuratoribus Cleri in Domum suam Inferiorem pro tractatibus fiendis in hujusmodi Convocationibus consuetam, Dominus & Confratres sui remanserunt in Domo Capitulari prædictâ; & post Tractatam non modicum tam circa Promotionem Graduatorum, & Studentium in Universitatibus prædictis, quàm circa subventionem Domino Regi faciendam, Dominus tandem Continnavit, &c.

Anno 1428. Nov. 18. Clerici Seculares & Cleri Procuratores ad Domum suam solitam de mandato Domini recesserunt: Dominus vero & Confratres sui Episcopi in Domo Capitulari remanserunt per aliquod tempus, de & super certis materijs arduis Convocationem hujusmodi tangentibus simul tractantes.

Eod. Anno November 22. Læte fuerunt in publico literæ Apostolicæ (Soliciting for a Subsidy, to suppress the Hereticks of Bohemia:) quibus lætis, Dominus, cum Confratribus suis, &c. de & super materiâ, in dictis literis Apostolicis contentâ, communicavit, ceteris de Clero interim de mandato Domini se retrahentibus.

Anno 1433. Decemb. 1. Reverendissimus Pater injunxit Clero, quatenus collaborarent & pro-

Busiueſs enjoyn'd the Clergy

viderent quid ſiendum ſeu dicendum eſſet de Subſidio concedendo. And again, Decem. 10. Clero Dominus mandavit quatenus circa Subſidium Domino Regi concedend. diligenter collaborarent.

Anno 1434. Oct. 20. Dominus mandavit Mro. Thomæ Bekington & alijs diverſis de Clero, ut Articulos illos de generali Sententiâ quæ conſueſta eſt quater in anno per Curatos Eccleſiarum publicari & ſolemniter denunciari, conciperent in linguâ maternâ ſub breviori modo quo poſſent.

Anno 1438. After the meeting of Oct. 6. upon a Prorogation : Dominus præcepit omnibus de Clero, quatenus in Domo Inferiori ſimul convenirent, & ſuper illis pro quibus fuerant hæc Vice convocati diligenter tractarent, viz. pro promotione in Univerſitatibus ordinandâ, & pro Subſidio pro traſmittendis ad generale Concil. Ferrar. & ſuper his effectualiter reſponderent.

Anno eod. die Martis prox. Dominus mandavit Clero quatenus ſuper præmiſſis effectualiter communicarent; recitando eis qualiter & quomodo fecerunt & conceſſerunt Prælati Religioſi pro expenſis traſmittendorum ad Concil. Generale Ferrar. & Suadendo ut, omni poſt poſitâ in eâ parte diſpoſitione, ad conſimiliter concedend. ſuos animos applicarent.

Anno 1439. Dec. 11. Cedulâ, &c. pro quadam Conſtitutione Augmentationis Pauperum & Exilium Vicariarum Provinciæ Cant. auctoritate huiusmodi Conciliis Provincialis faciendâ; poſt aliqualem Communicationem habitam ſuper eâdem inter Dominos Episcopos & Prælatos Religioſos de Domo Superiori, tandem ipſis de Clero Domus Inferioris pro certis in eâdem reſormandis, nec non pro aviſamento & deliberatione in hac parte capiend. extitit liberata.

Eod.

Eod. anno Dec. 22. *Clerus de mandato Domini ad tractand. pro subsidio & aliis materiis supradictis, ad Domum Inferiorem se divertebat; ubi habitâ inter eos Convocatione diutina super præmissis, tandem ad Domum Superiorem reversi sunt.*

Anno 1444. Oct. 22. Dominus præcepit Clero, quatenus pro Corrigend. & Reformand. per hujusmodi Concilium, inter se diligenter communicarent, usque ad adventum Dominorum ex parte Domini nostri Regis & Concilii sui illic in brevi adventurorum.

Anno 1529. Sess. 7. The Prolocutor in the Upper House; Monuit Reverendissimus, ut conciperentur Articuli contra hæreticos.

Eod. Anno Sess. 20. Ingressi sunt Prolocutor cum diversis Archidiaconis; cum quibus Episcopus London. habuit secretam communicationem, & voluit eos redire in Domum Inferiorem, & ibi tractarent de hujusmodi negotio.

Eod. Anno Sess. 32. Reverendissimus monuit Prolocutorem, &c. invicem consultare super Articulis ipsis super Opinionibus suis.

—— Sess. 97. Reverendissimus putavit expediens ut Responsiones fierent ad hujusmodi querelas, [viz. to a certain Address presented to the King against the Arch-Bishop and Bishops] quem libellum tradidit Proloquutori ad perlegendum, ut ostenderet opiniones suas de eodem.

—— Sess. 104. Episcopus London. Commissarius recitavit voluntatem Reverendissimi super prædictâ Supplicatione, & voluit Prolocutorem, &c. quod concipiant Responsa sua in scriptis.

—— Sess. 105. The Arch-bishop's Commissary pressing for a Subsidy, monuit Prolocutorem

ut alios consultaret de eadem materiâ, & rediret cum Responsis suis.

Anno 1534. Dec. 2. Reverendissimus voluit Prolocutorem ingredi, ut examinarent Libros prædictos, & Librum Tyndal; & ut ostendant Opiniones suas.

Anno 1541. Jan. 27. Reverendissimus ibi tradidit Prolocutori quosdam Libros examinand. & conficerent Leges de Simoniâ vitandâ.

Anno 1558. Feb. 10. The Prolocutor speaking to the Bishops, *Episcopi responderunt, quòd eis expedire videtur, ut Clerus, &c. Preces faciant Domine Regine, ne quid oneris imponatur Clero in Parlamento illo.*

Anno 1562. The Prolocutor being sent for, and coming-up with six others, Reverendissimus, *de & cum consensu Confratrum suorum hujusmodi, tradidit quosdam Articulos in scriptis conceptos, mandando quatenus super contentis in dictis Articulis diligenter inquirerent, ac quicquid inde invenirint, in scriptis redigant, ac dicto Reverendissimo porrigant & exhibeant.*

Anno 1640. Sess. 10. 1 Conv. Reverendissimus Pater Prolocutorem & alios de Domo Inferiori, Decanos Archidiaconos, & Cleri Procuratores ibidem presentes voluit ut ipsi inter se convenirent & excogitarent de Benevolentia, &c. & deinde de Canonibus & Constitutionibus statum Ecclesiasticum; & Ecclesie Utilitatem concernent. componendis, faciendis, & inter se consentiend.

—— Ead. Sess. Prolocutore comparente cum alio Decanis eum comitantibus, Reverendissimus eos voluit ad conveniend. die veneris prox. tempestive, & adtunc tractand. cum toto Coetu Domus Inferioris citra Benevolentiam sive Contributionem voluntariam dicto Domino nostro Regi concedend.

dend. & ut ipsi Formam Articulorum in Visitationibus imposterum ministrand. concipiant.

— Sess. 16. De mandato Reverendissimi, Prolocutor cum sex aliis à Domo Inferiori Domum Superiorem intravit; & Reverendissimus ei tradidit Canonem & formam Juramenti per totum Catum Domus Inferioris considerand. tractand. & consentiend.

Anno 1661. Nov. 23. Reverendus, &c. ad eum accersiri jussit Prolocutorem solum; quo adveniente, dictus Reverendus Pater tradidit ei partem libri publicarum Precum per hujusmodi Domum examinat' & revis', & in mandatis dedit, ut dictus Prolocutor unà cum Clero dicta Domus Inferioris dictam partem cum omni celeritate quâ potuit, revideat, & emendet si sit necessarium.

— Nov. 27. Præsident dedit in manibus dicti Prolocutoris residuar. partem Libri Publicarum Precum, & requisivit dictum Prolocutorem, ut ille una cum Domo suâ eandem omni cum celeritate revideat, & post Revisionem hujusmodi Præsidenti retradat.

— Dec. 10. Reverendus Pater, &c. voluit ad se accersiri Dominum Prolocutorem ad revidend. Emendationes. Quo adveniente, &c. dictus Locum-tenens ostendit dictas Emendationes per Domum Superiorem fact. & tunc & ibidem perleſt. & ordinavit eum ad consulend. Domum suam Inferiorem de & super eisdem.

In drawing down these Testimonies of a Right
in the Upper-House to direct the Business of
Convocation, I have designedly wav'd the Com-
mittees of the Inferior Clergy, order'd by the
President and Bishops, upon particular Matters
wherein their Assistance was necessary. Instan-
ces

The Ap-
pointment
of Com-
mittees re-
serv'd for
the next
Chapter.

ces of such Appointments are very numerous, and shall be produced at large in the next Chapter, which begins the Proof of a Right in the Archbishop and his Suffragans, to direct the *Manner*, as well as the *Matter*, of Proceedings in Convocation.

The Inferences from the foregoing Testimonies.

In the mean time, the foregoing Instances, from the most early Accounts we have of these things, till after the Restoration, may suffice to shew a Right in the Upper-House, to send for the Inferior Clergy, either in a Body, or by the Prolocutor, and to direct them to consider or prepare all such Business as their Lordships shall think fit to recommend to their Care: And that, not only at the *beginning*, but in the *whole Course* of the Convocation; nor only Business of an *Ecclesiastical*, but (while that lasted) of a *Civil* nature also: Nor was it by way of *Request*, or upon the foot of a *mutual Agreement* between the Bishops and Clergy, (as some late Writers have uncanonically represented the Correspondence between the two Houses of Convocation) but both their *Retirement* and *Deliberation* were the Effects of an express *Command*, grounded upon the Canonical Authority of the Metropolitan and Bishops, receiv'd by the Clergy with all the Marks of Duty and Obedience, and accordingly executed without the least Appearance of *Refusal* or *Scruple* in any one Instance.

It is needless to *explain* how unlike this is to the Communication between the two Houses of *Parliament*; 'tis enough, as we go along, to put the Reader in mind of making the Comparison; and to reflect withal, how well they had considered these things, who could first *frame* the

the Parallel, and then *publish* it to the World, with such a seeming Assurance.

C H A P. VIII.

The Right of the Arch-Bishop and his Suffragans to Order Committees of the Lower-House.

THE two last Chapters shew us, how the President, at the Head of his Suffragan Bishops, has at all times, as occasion requir'd, enjoin'd the Inferior Clergy to consider and prepare *Matters* according to the Instructions they receiv'd. But, because the joint Debates of the whole *Body* of the Clergy may in some Points be *unnecessary* and *inconvenient* in others; therefore the Arch-Bishop and Bishops (the proper Judges thereof) at the same time they refer'd Business to the Clergy, have frequently determin'd it to be done by a *Committee*, and commanded a Choice immediately for that Purpose: On some Occasions, to debate alone; and on others, to attend a Committee of Bishops appointed for the same Purpose: At one time, *confin'd* as to the *Number*; and at another, left to their own *Liberty*: In some Instances, requir'd to signify to the Upper-House the *Names* of the Persons elected, (which we find accordingly done;) and in others, proceeding to their Business without such a Report. Which *Variety* of Circumstances accompanying the same Act, and all arising from the *different* Instructions of the *Upper-House*, are so many Confirmations of a Right lodg'd

lodg'd there, to direct the *Manner and Method* of Proceedings in the Lower-House, as they see cause to interpose, and to recommend Business to their Consideration.

Commit-
tees of the
Clergy to
attend a
Commit-
tee of
Bishops.

1. It has been usual for the Arch-Bishop to order the Choice of Committees out of the Inferior Clergy, to attend a Committee of Bishops appointed for the same Purpose: So I term it, in the Language of their own Actuary, *Anno 1661.* several times repeated, to express the *Ends* for which the Committees of the Lower Clergy were chosen. May 16. *Chosen for attending the Bishops at Ely-House, four Deans, &c.* — May 18. *Chosen for the Review, &c. to attend the Bishops, three Deans, &c.* — to attend the Bishops at the Savoy, &c. to consult about the Form of Baptizing Adults, two Deans, &c. — June 7. *Form of Prayer, &c. refer'd to Eight of this House to attend four Bishops at Ely-House this Afternoon.* — June 19. *To attend the Bishops at the Savoy, &c. seven Deans, &c.* — All these were as late as the Year 1661. but (as the following Testimonies shew) grounded upon the ordinary Usage of much elder Times.

*Anno 1428. Nov. 12. Clero & Procuratori-
bus in solitam Domum Inferiorem de mandato Do-
mini recedentibus, Dominus, &c. Communicati-
onem habuit de & super Provisione seu Ordina-
tione faciendâ contra Malitiam Hereticorum;
& statim extitit avisatum quod certi Episcopi,
Prelatique alii, & Clerici, tam in Theologiam
quam Jure Civili & Canonico Doctores, Provisi-
onem hujusmodi seu Ordinationem conciperent,
& Minusam exinde redigerent in Scripturam.*

Eod.

Eod. Anno Nov. 20. Dominus intimavit & in publico declaravit, quod diversa Negotia ardua, &c. in hujusmodi Convocatione tractari deberent; & idcirco pro acceleratione & celeriori Expeditione Negotiorum ipsorum, sibi & Confratribus suis videbatur expediens, quod certi Prælati Religiosi, Decanique Ecclesiarum Cathedralum, Archidiaconi aliqui & Cleri Procuratores quidam magis providi & discreti nominarentur, qui communicare possent cum Episcopis de & super materijs illis; de quo ut (apparuit) omnes reputarunt se contentos. Et tunc Dominus assignavit eisdem Religiosis & alijs tunc ibidem presentibus terminum ad eligend. personas hujusmodi.

Anno 1557. Jan. 24. Voluit Reverendissimus Statuta Ecclesiarum noviter erectarum, aut mutatarum à Regularibus ad Seculares, expendi per Episcopos Lincoln, &c. item & Nicolao Wotton, Cant. &c. Ecclesiarum Decanis & quæ consideranda sunt, referri Reverendissimo quamprimum commode poterunt.

Anno eod. Febr. 4. Upper-House Book: Quod negotium quo facilius expediri posset, electi sunt Episcopi London, Elien, Roffen, Lincoln, & Petriburg, quibus adjuncti sunt sex de Domo Inferiore; qui constituerent inter se tam de quantitate solvend. quàm etiam de modo & tempore Solutionis.

Eod. Anno Feb. 12 or 13. Deinde, quia Liber Concessionis nondum benè absolutus erat, rogavit Reverendissimus, ut dicti London, &c. cum Prolocutore & quatuor ex illis ex Inferiore Domo [accederent] ad Cubiculam Reverendissimi in Aulâ Regiâ apud Westm. circa horam Secundam, &c. ubi ulterius deliberarunt.

Anno 1586. Sess. 7. Mar. 10. The Prolocutor and all the Clergy being sent for to the Upper-

Upper-house, Tandem omnes supra nominati in Domum hanc redierunt, excepto Domino Prolocutore qui cum eisdem Reverendis Patribus post diceßum reliquorum aliquantisper permansit. Ac deinde in hanc Domum revertens, cum consensu omnium ut præfertur præsentium, elegit Venerabiles Viros, &c. ad tractand. & communicand. unâ secum cum Reverendis Patribus de Constitutionibus & Decretis, licentiâ & vigore literarum Paten. per Dominam nostram Reginam in eâ parte concessarum, stabiliendis pro Collecti-one, &c.

Anno 1588. Sess. 3. Dominus Prolocutor significavit universo Cætui, consensum & concordatum fuisse & esse inter Dominos Prælatos Superioris Domûs, quod Reverendi Patres, Domini Winton, &c. Episcopi, tractarent, Statuerent, & deliberarent de Subsidio Domine nostræ Regine erogando : Et in eundem finem, Dominus Prolocutor nominavit & elegit Venerabiles Viros [Seven Deans, and Nine others there nam'd] ut similiter vice ac nominibus totius hujus Cætus communicarent & tractarent de Subsidio hujusmodi.

Anno 1640. Sess. 3. Apr. 22. Reverendissimus in Examinatores & Correctores libri Subfidiorum nominavit [Three Bishops by Name] & voluit Prolocutorem & totum Cætum Domus Inferioris ad eligendum quatuor vel sex graviores viros de gremio suo, ad idem negotium cum dictis Reverendis Patribus expediend.

Anno eod. Sess. 5. Apr. 25. Reverendissimus, cum Confratrum suorum consensu, decrevit libitum fore, aliquibus duobus Episcopis, cum quatuor e Cætu Domus Inferioris aliquo tempore ad dictum librum examinand. & corrigend.

Anno

Anno eod. Sess. 22. May 23. Prolocutore dimisso, paulò post revertēbat cum duobus vel tribus è Domo Inferiori : Et Reverendissimus in eorum præsentijs elegit Dominos Episcopos Winton. Exon. Elien. & Bristol. ad præsentand. cum ipso instrumentum Benevolentie sive Contributionis Voluntarie Serenissimo Domino Regi ; & voluit Dominum Prolocutorem ad eligend. Sex aut Octo alios Domus Inferioris ad similiter præsentand. cum ipso Prolocutore, dictum Instrumentum.

Anno 1661. May 16. Habito aliquandiu Tractatu inter Reverendum Patrem [Præsidem] & Reverendos Episcopos Suffraganeos de & super Precibus Specialibus pro die Nativitatis Domini nostri Regis, &c. 29. die mensis jam instantis Maij per quatuor Episcopos hujusmodi Dominos, viz. — in eâ parte respectivè elect. & per octo Prælatos sive Cleros Domus Inferioris, eligend. concipiendis, &c. And another Committee was appointed, the same Session, and in the same manner, to Compile the Service of the 30th of January.

Eod. Anno Maij 18. Dominus Commissarius intimavit D. Prolocutori de Precibus specialibus & particularibus pro Baptizatione nonnullorum Adult. concipiend. & formand. Et pro conceptione earundem, dictus Reverendus Pater, cum consensu Fratrum, tres, &c. Episcopos elegit, & voluit dictum Prolocutorem Sex Cleros è Domo Inferiori eligere ad procedend. cum dictis Episcopis in dicto negotio.

Eod. Anno Jun. 7. A Resolution among the Bishops about a Service for the Fast Day (June 12) per quatuor Episcopos hujusmodi Domus — in eâ parte respective electos, & per 8 Prælatos sive Cleros Domus Inferioris eligendos, concipiend.

Eod.

Right of the Archbishop and Bishops

Eod. Anno Jun. 19. The President and Bishops resolve upon a Committee of twelve Bishops, and twenty four of the Lower-Clergy, for the Examination of the Canons, &c. The Bishops being chosen, the President sends for the Prolocutor and all the Clergy, *Et omnia Et singula præmissa dicto Prolocutori Et Domui Inferiori significavit; Et voluit dictum Prolocutorem ad eligendum viginti quatuor è gremio suo ad conveniend. cum dictis Reverendis Patribus sic ut præfertur electis.*

Eod. Anno Dec. 13. Reverendus Pater unà cum Confratribus, &c. tractatum habuerunt de eligendo personas aptas Et idoneas tam ab hujusmodi Domo quàm à Domo Inferiori pro diligenti Examinatione Et Revisione Libri Publicarum Precum, &c. The President names three Bishops, and the Prolocutor, three of the Clergy.

Anno 1663. Jun. 27. The President names a Committee of Bishops to correct the Subsidy Bill, *Et voluit Prolocutorem Et totum Cætum Domus Inferioris ad eligend. nonnullos graviores viros de gremio suo ad idem negotium cum dictis Reverendis Patribus expediend.*

Anno 1664. May 4. A new Grammar being brought in, and a Committee of Bishops appointed for the Examination of it, the Prolocutor and Lower-house are sent for; *Et Reverendissimus voluit eos ad eligend. certum numerum virorum gravium Et discretorum è Gremio suo ad revidend. Et examinand. dictum Librum Grammaticalem cum dictis Reverendis Patribus per Domum Superiorem nominatis.*

Committees of the Clergy alone, ordered by the Upper-House.

II. In the same manner, and by the same Authority, do we find Committees of the Lower Clergy, order'd for particular business, at times when no Committees of Bishops were chosen.

During

During the Accounts of the Old Registers, the ordinary way was for the Archbishop and Bishops to *refer* or *commit* the consideration of such occasional Points to the *whole Body* of the Clergy, as appears at large from the VIth and VIIth Chapters. But,

Anno 1555. The Clergy in the Upper-house, *Dominus Præses eos remisit ad Inferiorem Domum, volens ut inter se eligant. viii. vel x. de gravioribus unâ cum Prolocutore, ad audiend. quædam Arcana non solum ex parte Regis & Regine, sed etiam Cardinalis Poli, bonum publicum Regni & Ecclesiæ concernen.* — At the same time,

Dominus Elien. vice omnium, (addressing himself to the Lower-Clergy) *monuit, ut eligerent inter se Viros doctos, qui examinarent Canones omnes Ecclesiasticos quos utiles putarent; si antiqui non Sufficiant, novas constituent.*

Anno 1603. May 2. In the Extracts out of the Upper-house Books, we meet with these Words: "Bishop of London delivers the Prolocutor a Book of Canons, desiring him to take a Committee of Eight or Ten to consider of them.

Anno 1640. Sess. 3. Apr. 22. Reverendissimus &c. de mandato Regio voluit divinam Dei gratiam implorari, ac Formulam Precis ad eundem effectum per duos doctos & graviores viros Cætus Domus Inferioris, ad hoc per Dominum Prolocutorem cum consensu totius Cætus dictæ Domus eligendos, concipi.

Anno eod. Sess. 10. Maij 13. Reverendissimus Pater Prolocutorem & alios de Domo Inferiori, Decanos, Archidiaconos, Capitula & Cleri Procuratores ibidem præsentés voluit, ut ipsi inter se convenirent, & excogitarent de Benevolentia, &c. & deinde de Canonibus & Constitutionibus

tionibus Statum Ecclesiasticum & Ecclesie Utilitatem concernen. componendis, faciend. & inter se consentiend. Et ut ipsi, pro meliori negotij istius Expeditione, quosdam graviores & doctiores Viros de gremio suo eligerent, dictum negotium de Canonibus concipiend. subitur.

Anno 1640. 2 Conv. Sess. 3. The Prolocutor and Six more sent for. *Quibus comparentibus, Reverendissimus eis significavit, quod ipse audivit esse quasdam discrepantias inter quosdam Clericos citra eorum Electiones; & voluit eos, ut ipsi & alij dictæ Domus easdem examinarent & determinarent juxta Juris Exigentiam & Consuetudines cujuslibet Diæceseos, donec aliter ordinatum fuerit.*

The Names
of the Per-
sons Elect-
ed, return-
ed to the
Upper-
house.

III. The Direction of the Upper-house to the Lower for the choice of Committees, has been also accompani'd with a further Order to return an Account of the Persons Elected; whose Names we find Enter'd also in the Registers of the Upper-house, with an express *Approbation* of the choice by the President and his Brethren.

Anno 1428. Nov. 20. After the Resolution for the choice of a Committee, *Dominus assignavit eisdem Religiosis & alijs tunc ibidem presentibus terminum ad eligend. Personas hujusmodi — Et ad presentand. sibi Nomina hujusmodi Personarum nominandarum in Scriptis —* which were presented accordingly, Nov. 23. — And some Years before, *Viz.*

Anno 1408. It is mention'd as a matter of Duty and Decency, tho' no particular order was given, *Quarum 24. Personarum Electionem factum idem Inferior Clerus incontinenti Archiepiscopo & Prælati in Domo Capitulari, ut decuit, retulit seu fecit referri.*

Anno

Anno 1640. Sess. 2. Apr. 22. Dominus Prolocutor cum toto Cetu revertens, nomine suo & eorum dixit, se & totam Cetum Domûs Inferioris prædict. elegisse in Examinatores & Correctores libri Subsidiarum prædict. cum præfatis Dominis Episcopis — Venerabiles Viros [the Names particularly enter'd.] Quam Electionem Dominus Archiepiscopus & Confratres sui Approbarunt.

The same Session: Prolocutor venit & dixit, se, cum consensu Cetus Domûs Inferioris elegisse Venerabiles Viros [their Names,] ad concipiend. Formulam Precis, &c.

Eod. Anno Sess. 10. Maij 30. After the direction to choose a Committee for the Canons: Et subsequenter Mr. Willelmus Fisher Notarius Publicus & Domûs Inferioris Actuarius, mihi præfato Notario certificavit in fidem Notarij, Venerabiles Viros Dom. Prolocutorem [with three Deans, &c. all particularly Nam'd] esse electos cum consensu totius Domûs ad effectum prædict.

Anno 1661. Jun. 19. The President, &c. misit pro Prolocutore & Sex alijs Domûs Inferioris ad introducend. Nomina è gremio suo elect. de & super Negotijs tunc tractat. Quo Prolocutore unâ cum sex alijs dictæ Domûs Inferioris adveniente, dictus Prolocutor præsentavit dicto Reverendo Patri Domino Episcopo London. Schedulam quandam in papiro Scriptam, continen. Nomina Prælatorum & Cleri Domûs Inferioris per eos elect. scil. [the Names all enter'd in the Upper-house Book.] Quibus nominibus per me Notarium publicum, de mandato Reverendi Patris Presidentis antedicti publicè perlect. dictus Reverendus Pater acceptavit eorum respectivos Nomina & Personas, & dimisit dictum Prolocutorem, &c.

Anno 1663. Jun. 27. The Prolocutor declares, *quod ipse & Cæterus Domus Inferioris de propositis diligenter tractarunt — Jæque & totum Cæterum Domus Inferioris elegisse in Examinatores & Correctores Libri Subsidiorum, &c. Venerabiles Viros, &c.* [all the Names enter'd in the Upper-house Book.] *Quam Electionem Dominus Præses & Confratres sui Approbaverunt.*

The Right of the Upper-house to appoint Committees of the Lower, never question'd before 1689. and 1701. In this manner, have the Archbishop and Bishops in Convocation requir'd Committees of the Lower Clergy in order to treat of any Matters they had to lay before them; either by *themselves*, or in conjunction with a certain number of *Bishops*, as the Upper-house judg'd most convenient. Nor can I find, that Obedience to this their Lordships Authority and Appointment was ever *Scruple'd*, much less *deny'd* by the Inferior Clergy of any Age, before the Convocation of 1689. (Sess. 13.) and the last in 1701. (Sess. 18.) Which *Denials* not countenanc'd from any one Precedent, nay, directly oppos'd by the *Numbers* we have produc'd above, ought certainly to be accompany'd with very singular *Circumstances*, and some very cogent *Reasons* arising from thence, to make them (I will not say *Legal*, for *that* nothing under a New Law can do against an Establish'd Usage) but in any measure *Excusable*.

This Denial from the Lower-house the last Convocation, produc'd a Resolution in the Upper, not to receive any Papers from them till the *Irregularity* of refusing a Committee was set right: And this having been since so freely censur'd as a groundless Exception, and their Lordships thereupon, made the Authors of breaking the

the *Communication* between the Bishops and their Clergy; I will consider that Instance, and the other of 1689. to see whether they afford any Circumstances which may cast the Crime on their Lordships side, against the authority of so long and uninterrupted a Usage.

I. Anno 1689. Sess. 13. Upper-house Book: *The Refusal in 1689*
Dominus Reverendus Pater Praeses antedictus [Viz. Episcopus London] *proposuit Prolocutori* *had no*
ad nominand. Cætam Selectum Domûs Inferioris *grounds*
Convocationis, ad conveniend. cum Cætu selecto *from the*
Superioris Domûs Convocationis, in ordine ad in- *Registers.*
spiciend. Acta ambarum Domum Convocationis;
sed dictus Prolocutor respondebat, se non posse ad
id consentire sine Consensu Cætus Domûs Inferio-
ris Convocationis prius habito — A little after,
Dominus Prolocutor, cum numero copioso Domûs
Convocationis, comparuit & declaravit quod dic-
ta Domus noluit consentire ad nominandum Cæ-
tum Selectum eorum Domûs ad conveniend. cum
Cætu prædict. Domûs Superioris Convocationis
ad effect. supra mentionat. durante recessu Con-
vocationis.

Now, the Archbishop and Bishops, having in their Synods an undoubted Right to the *Advice* and *Assistance* of their *Presbyters*; this act, upon the foundation of Primitive Practice, was a breach of their *Canonical Obedience*. Again, the Archbishop and Bishops in an *English Convocation*, having ever requir'd their Clergy's Assistance in this particular of Appointing Committees, and been as constantly obey'd without the least appearance of Scruple, *that Refusal* is further *Aggravated* by its opposition to the Establish'd Customs of this National Church. Contrary to which, was the Prolocutor's *suspending* his Compliance, till

he knew the Pleasure of the House : for this implies that the House had a power, if they thought fit, to refuse ; but more directly so, was the final *Resolution* of the House it self. 'Tis true, that Refusal is represented by the Register under one Circumstance, which they seem to have offer'd as the *ground* of it, That it was appointed in a *Recess* of the Convocation. Which *Recess*, was no more than a Continuation in the common Form, from *December 14. to January 24.* and if the President and Bishops have a Right to order the Choice of Committees to sit in the *Shorter* Intervals of Sessions ; by what *Law* or *Custom* are they restrain'd from doing the same thing in the *Longer*. On the other hand, it was not only *lawful*, but at that juncture very *necessary* too for such a Committee to have sat upon the business propos'd by their Lordships, The inspecting the Registers of both Houses. Because some differences in point of Custom and Priviledge had then hapn'd between the two Houses ; and that *Recess* was a proper opportunity to rectifie what was past, and by that inspection to prevent future misunderstandings.

The Refusal of a Committee in the last Convocation, prov'd *Irregular*.

2. *Anno 1701. Sess. 18. Lower-House Book :*
 " The Arch-Bishop signifies, in Writing, the Appointment of a Committee of five *Bishops*, to meet with any Committee to be nam'd by the
 " *Lower-House*, not exceeding the number often,
 " to inspect the Acts of both Houses of Convocation to this time. --- *Et super eare declarârunt & ordinârunt*, " That they are of Opinion, that
 " their *Act-Books* of this Session should not be freely inspected *as yet* ; their Lordships not having
 " exprell'd the *Intention* of any such Inspection.
 " on. — And then follows an Order, " That
 " Notice

“ Notice be given to their Lordships, that they
 “ have not thought fit to appoint such a Com-
 “ mittee.

Supposing, that the Lower-House had a Right to judge, in what Circumstances it is fit, or unfit, that Committees be appointed; yet the Members refusing it at this time, seem to assign a Reason that is somewhat strange. Why not inspected as yet? and why were their Lordships to give previous Notice of their Intention? If it was, that the Lower-House might have time to frame them into Acts, and so make them more accurate; they afterwards alter'd their Opinion of Things, when in the Narrative, they prize the *Minutes* of 1640, (more confus'd, I am sure, by many Degrees than theirs could be) even above *regular Registers*, in point of Credit. But, however the *Minutes* of 1701 might be industriously disparag'd, to give a Colour at least to this their Refusal; their own Journal says expressly, That the *Acts* of the foregoing Session were distinctly read at the opening of the next; which implies a *regular Journal*; and the fair Copy now in the Register's Office, is said to be (the greatest part of it, if not all) a Transcript from those Acts.

The Reasons al-
 ledg'd in
 the Narra-
 tive, parti-
 cularly an-
 swer'd.

Nar. p. 35.

This therefore does not seem to be the Reason they abide by; but an *Inherent Power* of naming or not naming Committees at pleasure. Thus much the *Journal* intimates in the Notice to be given to their Lordships, “ That they have not
 “ thought fit to appoint such a Committee; and the Narrative speaks much more plainly; We conceive our selves intirely at Liberty, to admit or decline their Appointments of Committees, as we shall think fit. This is a clear Declaration of their Principle; and, if I mistake not, the foregoing

No inhe-
 rent Power
 to admit or
 decline the
 Appoint-
 ment of
 their Lord-
 ships.

Nar. p. 61.

Ibid.

foregoing Account of Committees, is as clear a Proof, that there was no Ground to make it either their Principle, or their Practice. The Narrative derives this Power of Refusing, from being a *distinct House*; but as the third Chapter of this Book shews the Vanity of their Claims in general upon that Foundation, so the Instances of Committees to meet the Bishops, appointed by express Order of the Upper-House, *since* as much as *before* their Separation, are a full Answer in this Particular.

No Power
of a Negative,
but only in fi-
nal Resolu-
tions.
Nar. p. 61.

Another Reason they add, is, their *having Power to dissent from the Proposals of the Upper-House*. But this is doubtfully expressed: If their Meaning be, That they have a Right to disagree finally from any Matters depending in Convocation, so as to hinder them from passing into Synodical Acts; I grant it: But that being confin'd to the *passing* of Business, does not help them in any Point antecedent thereto. Nor can they ever shew, either in this or any other Case, that the *English* Clergy in Convocation have not at all times readily and religiously comply'd with the Directions of their Metropolitan and Bishops, both as to the *Matters* recommended to their Consideration, and the *Methods* and Circumstances of considering them.

The Right
of the
Bishops to
take Cog-
nizance of
the Trans-
actions of
the Lower-
House.
Ibid.

In Vindication of themselves from this Charge of Irregularity, they say further; *We conceive, the only regular way of their Lordships knowing the Transactions of our House, is by our own voluntary laying 'em before their Lordships*. As if their Lordships had only a Right to direct the Consideration of Business, and not a Right also to prescribe the time of returning it, and to call upon them to know their Resolutions, or what Progress they have made. 'Tis a part also of the

the very Office of a Prolocutor, to report to the Upper-House the *Result* of their Debates, (as he has frequently explain'd the *Grounds* and *Reasons* of their Resolutions;) and, on the side of the Arch-Bishop, to do for him what his Grace formerly did in Person, that is, to deliver to them his Commands, and to moderate in their Debates; and (according to a former Observation) to maintain such an *Intercourse* as may effectually preserve the Synod in an *United State*, under *one* President the Metropolitan of the Province. Their *Auary* also is an Officer of his Grace, and his Wages limited by an *Archiepiscopal* Decree, and their *Journals* finally deposited in the Office of the See, together with those of the Upper-House; where Recourse may be had equally to both, by all the Members of Convocation. What therefore they mean by the Arch-Bishop's *detaining* from them the Journals of the Lower-House, to which they had free *Access* upon all Occasions; and what by their saying, That they conceive these Journals of Right to *belong* to them, I cannot imagin; much less account for them, either from *Reason* or *Practice*: Nor can I conceive in what *Office* they would deposit them, were they put into their own Possession. The Language they use in this Case may be proper in *Parliament*; but sounds strange in an *English* Synod of Bishops and Presbyters; the latter whereof (the Majority, I mean, of the Lower-House) have in this Denial of a Sight of their Registers, even exceeded the Pattern they propose, the Honourable *House of Commons*. For as a mutual Freedom of Recourse to the Journals of each House, is well known to be the Custom of Parliament; so should any Jealousies arise between them, and should

Nar. p. 62.

The Journals belong to the Arch-Bishop's Registry.

should the one press for such an Inspection of the Journals ; a *Refusal* from the other would make the Cause on that side suffer extremely in the Opinion of the World.

The Lower House not on ; “ That since their Lordships neither menti-
to give In- “ on any particular Acts they would inspect, nor
structions in “ assign any particular Reason for such Inspecti-
such Com- “ on ; we could see no Ground for such a Com-
mittees. “ mittee, nor could we give *Instructions* for the
Nar. p. 61. “ *Management of the Matter to be consider’d by*
“ it. Their seeing no Ground for such a Com-
mittee, resolves into their first Plea, confuted
before, *viz.* Their Liberty to *admit or decline*
their Lordships Appointment of Committees as
they shall think fit, and their Right by conse-
quence to judge in what Case there is Ground
for *Compliance* or *Refusal*. But that which fol-
lows, *their giving Instructions for the Manage-*
ment of the Matter to be consider’d by it, is a
Style familiar enough in Parliament, but utterly
unknown to the Records of Convocation. For
as the Upper-House (according to the fore-cited
Testimonies, from Registers as well *Ancient* as
Modern) have a Right to order Committees of
the Lower, in Conjunction with those of their
own ; prescribing withall the *Number*, and the
Time and *Place* of meeting, and all this, to con-
sider Matters of their Lordships own proposing ;
so the only *End* of their appointing such joint
Committees, is to have the Assistance of their
Clergy in *discussing* or *preparing* those Matters :
And in that Case, the Clergy’s taking from the
Metropolitan and Bishops their *Instructions*,
what to do, and how to proceed, is exactly a-
greeable, both to the *original Distinction* between
Bishops and Presbyters, and to the share that
each

each has ever had as a constituent part of an *English* Convocation. But if we suppose (according to their Scheme) a Right in the Clergy to refuse their Assistance, or (in case they think fit to comply) to send their Members under the *Restraint* of special Instructions, and by that means prepar'd rather to stand upon *Terms* with their Lordships, than to *assist* them; whether a Meeting in these Circumstances would not show us a *Co-ordinate* Power of Presbyters with their Bishops, let the World judge.

When they appoint Committees of their own, and upon Business depending in their own House, they are then at Liberty to give what *Instructions* they think fit; because, as the *Matters* to be debated, so also the *Methods* and *Ends* of debating them, are all within their own Power. *Instructions* proper only when they appoint Committees of their own. And in the present Case, had they thought fit, either *before* or *after* the Appointment by their Lordships, to chuse a Committee to give them Information from the Acts of either House in any Point whatsoever; that Choice, and their Instructions thereupon, had (without doubt) been very regular. But when the Arch-bishop and Bishops, in virtue of their original Right to require the Assistance of their Clergy, do call for it in the way of a *Committee*, to attend a certain number of their own Body; in that Case, the *Directions* belong solely to the Upper-House, and the Clergy have no other part besides *Assisting* and *Advising*.

Indeed, if Matters were to be *finally determin'd* in Committees, then it would be necessary for the Clergy (who would in that case be *concluded* by their Act) to put their Members under *Restraints* agreeable to the *Sense* and *Intention* of the House: And this they might do, in virtue

virtue of their final *Negative* upon the Archbishop and Bishops. But Committees are well known to be only for *Debate* and *Preparation*; and if the Lower-House think themselves concern'd in the *Matter* or *Tendency* of their Lordships Enquiries, they are wholly free (after the Discharge of their Duty there) to make what *farther Searches* or *Resolutions* they please; and that also, in the *manner* they think most proper, *i. e.* either in the *whole House*, or by a Committee of their own voluntary Choice.

The Lower House never consent to the choosing, but only to the Persons or Numbers.

What I have observ'd and reply'd to, is all they urge to justify their *Refusal* of a Committee: And I know but one thing more, that gives any *Colour* to that Act, *viz.* Its being sometimes said in the forecited Passages about the Appointment of such Committees, that 'twas done among the Lower-Clergy, with the *Consent* of the *House*. It was so, after the Prolocutor (in pursuance of the Direction from the Upper-House) had nominated the *Persons* according to the *Number* prescrib'd; that is, 'twas consented and agreed to by the House, that those *particular Persons* should be the Committee; and the same Right of *Consenting* they had to the *Number* also, when that was not *fixt* and *determin'd* Above. But before 1689, it was never made a Question among the Lower-Clergy, whether they should comply with their Lordships in the *Appointment of a Committee*, or whether the Prolocutor should immediately proceed to the *Nomination*; or, lastly, whether they should chuse any other *Number* than that specify'd in their Lordships Order. The Course of such Choices, in the Lower-House, at the same time with the Upper, is distinctly describ'd in their Journal, 1588. Sess. 3. That Day's *Extracts* out of the Upper-

Upper-House Books, say, *A Committee of both Houses chosen to consider of a Subsidy.* Accordingly, the Execution of it in the Lower-House is describ'd thus: *Dominus Prolocutor* [upon his coming from the Upper-House] *significavit Universo Cœtui, consensum & concordatum fuisse & esse inter Dominos Prælatos Superioris Domûs, quòd Reverendi Patres* [three Bishops, nam'd] *tractarent, statuerent, & deliberarent de Subsidio Domine nostræ Regine erogando: Et in eundem finem, Dominus Prolocutor Nominavit & Elegit Venerabiles Viros* [seven Deans, with nine others, nam'd] *ut similiter, vice ac nominibus totius hujus Cœtûs, communicarent & tractarent de Subsidio hujusmodi. Necnon consensum & assensum omnium supra nominatorum hujus Domûs in Electionem suam hujusmodi petiit & sine morâ obtinuit.* The Prolocutor, we see, proceeded immediately to the Nomination of the Persons; and no Consent was given or askt, but only to the Persons so nominated. But in the Year 1640. Sess. 10. May 13. when the Upper-House Register tells us, That in the Business of the Canons, the Clergy were only directed, in general, *Quosdam graviores & doctiores viros de gremio suo eligere,* and no particular Number was assign'd; then the Minutes mention the Houses Consent to the Number also, and to the Proportion of Deans, Arch-deacons, and Proctors: *Consensum fuit ut Duodecim e dictâ Domino, viz. tres Decani, tres Archidiaconi, duo Procuratores pro Ecclesiis Cathedralibus, & quatuor Procuratores Cleri, Eligantur pro Examinatione Canonum;* and then, giving the Names of the Persons nominated, they mention the Approbation of them as a distinct Act.

This

The Lower
House
chargeable
with all the
Conse-
quences of
refusing a
Commit-
tee.

This is a plain State, as of the *general Power* of the President and Bishops to order Committees of the Inferior Clergy, so particularly of the Right they had to make that Appointment, with which the Majority of the last Lower-House refus'd to comply; and by their Refusal, gave Rise to one unhappy Difference in that Convocation. But yet, as if the Blame evidently lay on the side of the Bishops, and nothing but Innocence on the other, their Lordships stand charg'd in the late *Narrative* with all the Consequences of this Irregularity. His Grace, who had it in his Power to censure an Act of Disobedience (so mischievous to *Episcopacy*, and to the Constitution of an *English Synod*) with the Severity it would have justify'd; was pleas'd to signify his own and his Brethrens Dislike of it in a milder way, by refusing to receive any thing at their hands till that Irregularity was set right: And their Lordships hop'd, such gentle Methods might bring them to a calmer Consideration of what they had done. But so far was this from having the intended Effect, that his Grace and the Bishops are openly accus'd of endeavouring, by that Act, *to cut off all Communication between the two Houses*. A Return, that *good Nature* and an *obliging Treatment* must sometimes expect to meet with in this World.

Nar. p. 56,
58.

Page. 7.

I know not whether it be worth while to take notice here of the *Publisher* of the *Narrative*, who tells the World of a Position laid down in the *first Letter*, that *I knew to be false*, viz. the Power of the Arch-bishop to order the Choice of Committees, and the Number of which they shall consist. That Page and this Chapter compar'd, may make the Zealous Man more cautious for the future, how he charges others with speaking
against

against their Knowledge. I will not therefore say, he wrote that Preface *against* Knowledge; I charitably believe, and am pretty sure, he wrote *without* it.

C A H P. IX.

The Right of the Archbishop and Bishops to prescribe a Time for the Return of Business committed to the Clergy.

When the President and Bishops have put Business into the hands of the Lower Clergy, in a *Body* or a *Committee*; their Lordships have frequently thought fit to appoint a certain time for the *Return* of it. In other Cases also, they have *call'd upon the Clergy* for their Answers; who as oft as they were not in a readiness to give it, have *desir'd a further Day*: a plain acknowledgment of their Lordships title to the disposal of their *Time*. All these will be prov'd from the Registers in a regular *Deduction* of Instances; according to the method in which their Right to direct the *Matter* and *Manner* of the Clergy's Proceedings, has been already explain'd.

I. The President and Bishops have frequently prescrib'd a *Time* for the *Return* of the Clergy's Answers.

Anno 1369. 10. Kal. Febr. The Archbishop directs the Clergy to draw up their Petitions in Writing, & quòd sibi porrigerent die Veneris — ita quòd super eis cum suis Confratribus poterit consulere & deliberare.

The time for the return of the Clergy's Answers expressly prescrib'd.

Anno

128 *Time prescrib'd by the Archbishop, &c.*

Anno 1373. Decem. 2. Upon a like Order, 'tis added, *quòl Responsiones darent die proximè sequenti.*

Anno 1428. Nov. 20. Et tunc Dominus assignavit eisdem Religiosis & alijs tunc ibidem presentibus terminum ad eligendum personas hujusmodi ——— & ad presentandum sibi Nomina hujusmodi Personarum nominandarum.

Anno 1433. Nov. 10. Upon the Clergy's desire to consult among themselves about the Matter propos'd, Dominus liberè concessit; precipiens eisdem quatenus circa eadem Motiva, cum alijs ab eisdem dependentibus, usque ad diem Jovis diligenter & unanimiter laborarent.

Anno 1434. Octo. 20. The Clergy being directed by the President to prepare business, receive this additional Order, *quòl ipsis coram eo & Confratribus suis ostenderent & exhiberent die Veneris prox.*

Anno 1529. Apr. 15. Reverendissimus recessit à Convocatione, & commisit vices suas Episcopis London & Winton. qui fecerunt Responsiones [to a complaint of the Parliament] rursus legi coram Inferiore Domo; quæ petijt Copiam earundem Responsionum; & assignatus est dies Veneris ad inferendas Opiniones suas super præmissis Responsionibus,

Anno 1541. Sess. 2. Reverendissimus tradidit Prolocutori quosdam Libros examinand. & conficerent leges de Simoniâ vitandâ; & referrent Judicia sua proximâ Sessione.

Anno 1555. Sess. 2. The Commissary puts a Copy of a Diploma into their hands, volens eos maturè consulere, & referre Opiniones proximâ Sessione.

Anno 1562. Martij 1. Reverendissimus tradidit Domino Prolocutori Librum [de Disciplina] mandando,

mandando, quòd additis hujusmodi Capitulis sic excogitatis, ipsum Librum cum Additionalibus prædictis denuò exhibeat coram eodem Reverendissimo & Confratribus suis in proxima Sessione.

The Clergy's Answers called for.

II. When the Business committed to the Clergy was not voluntarily return'd within the Time expected, the President and Bishops have call'd for it; and have also granted a longer term for Consideration, at the Clergy's request.

Anno 1417. Decem. 3. Certain Persons out of every Diocese had been elected (Nov. 26.) to consider of methods how to promote the Students in the University of Oxford; and, Dec. 3. Dominus Archiepiscopus petijt à Personis supra nominatis si aliquid effectualiter laborassent circa materiam prætractatam, de Relevamine scilicet Studentium & Universitatum.

Anno 1426. Apr. 17. Dominus petijt à Clero utrum ad tunc plenè fuissent deliberati, quomodo foret procedendum in negotio eisdem, die præcedenti, per ipsum recitato; qui responderunt quòd protunc non plenè fuerant advisati in eadem; Dominus mandavit eis ut ad Domum Inferiorem redirent, ad tractandum & deliberandum.

Anno 1428. Nov. 18. Upon a Motion (Nov. 17.) that Hereticks might occasionally be receiv'd and imprison'd in the Religious-Houses, when sent thither by the Ordinary; the Religious desire time to consider: And the next Day, Dominus petijt à Religiosis, si deliberassent de & super materia supradicta; qui responderunt, quòd non; sed petierunt adhuc dilationem deliberandi in hac parte usque in crastinum: Cui adhuc Petitioni Dominus ex consensu fratrum suorum annuit bono corde.

Anno eod. Nov. 20. Dominus petijt à Religiosis, si adhuc deliberassent de & super Materia prælibata

prælibatâ aliâ; eis ministratâ pro deliberatione habendâ : Qui responderunt, se nondum plenariè deliberâsse in hac parte. Et quia (ut asseruerunt) Materia illa, ut eis videbatur, gravis erat, ac res quædam insolita & inaudita, supplicârunt Domino pro deliberatione ulteriori in hac parte habendâ, ad finem, quod possent communicare cum Jurisperitis, ne eis aut eorum Privilegijs seu Indultis Apostolicis præjudicium aliquod generaretur. Cui supplicationi Dominus adhuc annuens, eis ad plerè deliberandum, & finaliter respondendum in hac parte terminum assignavit, viz. diem Martis prox. tunc sequentem.

Anno eod. Nov. 23. Dominus petiit à Religiosis finale responsum, &c. Qui responderunt, ipsos adhuc non deliberasse in hac parte : Unde Dominus eisdem assignavit terminum adhuc ad finaliter respondendum in præmissis, diem, viz. Jovis tunc prox.

Anno 1433. Nov. 17. Præsidente Reverendissimo Patre, &c. & examinato Clero quid adhuc in præfatis Motivis & dubiis cum suis Incidentibus esset finaliter sentiendum; responsum extitit per Magistrum Thomam Bekyngton Prælucutorem, non completè adhuc determinatum; and thereupon the Archbishop continu'd the Convocation to a further day.

Anno 1439. Dec. 22. Dominus petiit responsum finale à Clero reddend. qualiter deliberati fuerint quoad Subsidium prælibatum concedend. Domino Regi : Et incontinenti Mr. Ricardus Prolocutor Cleri, nomine totius Cleri hujusmodi, Domino quandam Cedula, &c. præsentavit.

Anno 1444. Oct. 24. Dominus petiit Responsum à Clero, qualiter deliberati fuerant, quantum ad Subsidium ——— & quid Sentirent de literâ Regiâ pro die Translationis S. Edwardi, &c.

Upon

Upon which, the Prolocutor makes his Report to the President and Bishops.

Anno 1529. Sess. 33. Dominus Prolocutor petiit longiorem terminum ad consultandum de Articulis prædictis : Unde Reverendissimus assignavit horam primam ejusdem diei.

Anno eod. Sess. 34. Intravit Prolocutor & Clerus, dicentes, se non habere tempus consultandi, & petierunt longiorem terminum ; & Reverendissimus concessit horam secundam ejusdem diei.

Anno eod. Sess. 45. Intravit Prolocutor, & petiit Dilationem super eisdem Constitutionibus legendis ; & Reverendissimus concessit usque in proximam Sessionem : In the foregoing Session, there was put into the Prolocutor's hands, Libellus quarundam Constitutionum examinand.

Anno eod. Sess. 47. Prolocutor petiit longiorem terminum super Constitutionibus.

Anno 1557. Sess. 5. Præsident, &c. advocato Prolocutore, rogabat quid Clerus deliberasset de Subsidio : Qui eorum nomine respondit, omnes æquum sentire, &c. but that they had not agreed de modo & tempore Solutionis. Idè rogârunt, ut alius dies ad deliberandum Statueretur, qui datus est, viz. dies Mercurij prox. sequens, hora secundâ post meridiem.

Inferences from the foregoing Testimonies.

The Inferences from these Appointments of Time by the Bishops, and Requests for a further day by the Clergy, will be obvious to every Reader, without my leading him to them. For there cannot be more plain and direct Testimonies of any thing, than these are of the general Influence and Authority of the Upper House over the business of Convocation, and particularly over the Debates and Consultations of the Inferior Clergy : Who would not have petition'd

for a *Respite* of their Answer and Report, or offer'd Reasons why they could not be ready against the Time appointed them; but that they knew it was in the Power of their Superiors to require it then, and were desirous to satisfy their Lordships that their not being able to give it, was not want of *duty*, but purely of *time*. Nor would they have requested, in the last Instance, *ut alius dies ad deliberandum Statueretur*, had it been in their *own* Power to meet and deliberate on *Intermediate* Days: Which may deserve the consideration of those who have been such Zealous Advocates of late, not only for Meeting and doing business in the *Intervals* of Sessions (for that the Clergy have often done, and are bound to do at the *command of the Upper-House*,) but also for an Inherent Power in themselves to come together on those Days, to act in all respects *as a House*, and to compute such Meetings among the *Synodical Sessions*. Which (not only *without* their Bishops, but in *defiance* of them) are an uncommon *Separation* of a Synod, and cannot be seen or considered by any Impartial Man, without bringing to his mind a *Presbyterian Assembly*.

The same Persons may also please to observe, how ill these Instances of the Upper House's Authority in point of *Time*, agree with their new Scheme of *Alliance* between the Honourable House of Commons and the Lower House of Convocation. And particularly, the Publisher of the Preface may know from hence, that I wrote

Pref. p. 7. not like him, at all Adventures, much less (as
1. Lct. p. he lays the Charge) against my own Conscience, when I asserted this Power of *prescribing a Time for the Return of their Answers*.

C H A P. X.

The Right of the Archbishop and Bishops to require the Answers of the Clergy in Writing.

THat the Upper House have a Power to prescribe the *Time* within which the Answers of the Clergy shall be return'd, has been prov'd in the foregoing Chapter; and the design of this, is to shew their Right to direct the *Manner* of their Answers; particularly, to *Require* a Report either *Verbal* or in *Writing*, as their Lordships shall judge most suitable to the nature of the Business recommended to their Consideration. For upon this Point it is, that the Difference in the last Convocation about *Continuations* or *Adjournments* remains (as to the two Houses) undetermin'd to this day. The Archbishop and Bishops drew up the *Reasons* of their Claim in *Writing*, and deliver'd them to the Inferior Clergy; not only expecting, but directly *insisting* upon a *written Reply*. This was refused by the Majority of the Lower House; who resolv'd to return no Answer in *Writing*, but only *viva voce* at a *free Conference* with their Lordships: And there the matter rested upon this general Question, Whether the Upper House have a right to require of the Clergy an Answer *in Scriptis*; which I conceive the following Instances clearly determin.

Anno 1396. 10 Kal. Febr. The Clergy having granted a Supply on condition to have *Grievances* redress'd, *Archiepiscopus* voluit, *quod Clerus* & *Religiosi* *Petitiones suas super dictis Injurijs*, when re-
The Clergy's obligation to answer in Writing
Violentijs, quid.

Violentijs, & Gravaminibus, in Scriptis redigerent, & sibi porrigerent in die Veneris.

Anno 1411. Dec. 2. The Arch-bishop directs the Proctors of the Clergy, if they had any Grievances to offer, *Quòl vellent & deberent citra diem Veneris extunc proximò futur. coram Convocatione Dominorum in Domo Capitulari seriòsius intimare.* — And on Friday, *Coram Archiepiscopo, &c. comparuerunt Procuratores Cleri, qui plura referebant Gravamina; allegantes quòl de tot & tantis se sentijt Clerus malis pergravatum, quòl nisi in Scriptis contineantur, non possent de facili recenseri.* — They retire, and the Arch-bishop and Bishops debate about the Grievances. Returning about Eleven a Clock, *Per Dominum Archiepiscopum adtunc mandabatur, quòl citra proximum diem Convocationis exhibeant & declarent articulatim Gravamina sua in Scriptis redacta.* Grievances and Subsidies were the chief things that came from the Clergy in those Days; and this, with other Instances of the same kind upon that Head, shows, that it was not the ordinary way to offer their Grievances in *Writing*, except they were requir'd to do it by the *Arch-bishop* and his *Brethren*.

*Vid. Infra
Cap. 12.*

Anno 1428. Nov. 20. *Dominus assignavit Religiosis, & alijs tunc ibidem presentibus, terminum ad eligend. Personas [viz. a Committee] & ad presentandum sibi nomina hujusmodi Personarum nominandarum in Scriptis.*

Eod. Anno Dec. 7. *Et quia Clerus Provincia, prout tunc ibidem recitatum erat, &c. sentijt se gravatum; ex communi deliberatione Domini & Confratrum suorum, ac totius Concilij, extitit avisatum, ut Gravamina hujusmodi concipi deberent, & redigi in Scripturam.*

Anno

Anno 1434. Oct. 8. The Arch-bishop, in explaining the *Causes* of calling the Convocation, reckons up several Grievances of the Church: *Et tunc habita Communicatione super huiusmodi Gravaminibus, ordinatum erat tunc ibidem, ut huiusmodi Gravamina, ac alia quaecunque in quibus Clerus se sentijt gravari, necnon si quae forent Crimina & excessus infra Clerum usitat. quae necessariâ Reformatione indigerent, in Scriptis redigerentur.*

Anno 1452. Feb. 15. Prolocutor interrogatus à Reverendissimo Patre, an quicquam voluisset pro parte Cleri in Ecclesiâ Anglicanâ Reformatione dignum proponere; continuo & quasi ex insperato quamplurima, &c. proposuit. Et quia non erat facile, singula per ipsum ibidem exposita, memoria, quae admodum labilis est, commendare, idcirco admonuit eundem Prolocutorem Reverendissimus Pater, ut singula per eum in hac parte proposita, redigeret in Literas, & Concilio traderet plenius & maturius super eisdem deliberatur.

Anno 1460 May 13. Propositis coram Reverendissimo Patre, & alijs in Domo Capitulari protunc ibidem existentibus, quibusdam Articulis per Prolocutorem viva voce, dictus Reverendissimus Pater decrevit huiusmodi Articulos sic vivâ voce declarat. in scriptis redigi.

Anno 1529. Sess. 104. Episcopus London Commissarius recitavit voluntatem Reverendissimi super prædictâ Supplicatione, [viz. an Address of the House of Commons to the King] & voluit Prolocutorem, &c. quod concipiant Responſa sua in Scriptis.

Anno 1557. Sess. 3. Deinde monuit Locum tenens Prælatos Inferioris Domus, ut ipsi exhiberent in Scriptis quod Reformandum putarent.

Anno 1562. (when the 39 Articles were settled) Feb. 19. Reverendissimus, de & cum consensu Fratrum suorum, tradidit quosdam Articulos in Scriptis conceptos; mandando quatenus super contentis in dictis Articulis diligenter inquirerent, ac quicquid inde invenerint, in Scriptis redigant, ac dicto Reverendissimo porrigant & exhibeant.

Anno 1588. Dominus Prolocutor universo Catui significavit voluntatem Reverendissimi ceterorumque Pralatorum Superioris Domus esse, quod si aliquis hujus Domus noverit quenquam Ministrum de quo justè conqueri possit, quod contra Leges Ecclesiasticas, nunc temporis auctoritate legitimâ receptas & approbatas, se gessit & gerit; aut si aliquis noverit quenquam qui Canones in ultimâ Convocatione approbatos & edictos violaverit; eosdem in Scriptis denunciarent Reverendissimo Domino Cant. Archiepiscopo ceterisque Dominis Pralatis prædict. pro debitâ Correctione & Reformatione in eâ parte fiendâ.

Anno 1640. Sess. 2. Arch-bishop Laud having recommended to the Clergy the Consideration of certain Canons and Constitutions, adds, Et quicquid inde senserint sive excogitaverint, in Scriptis redigant, & coram ipso Reverendissimo & Confratribus suis Episcopis exhibeant.

Ead. Conv. Sess. 3. Reverendissimus, &c. Schedulas Domino Prolocutori tradidit, Catui Domus Inferioris proponendas, legendas, & publicandas; cum monitione, quod Copias earum cuiunque tradere minimè præsumat. Et si aliquis dictæ Domus aliquid dictis Capitulis contrarium proponat, porrigat in Scriptis, & in manus Domini Prolocutoris Domino Archiepiscopo & ceteris Episcopis Domus Superioris exhibiturum, ut ipsi de eisdem consultarent.

Thus

The State
of this Case
between
the two
Houses, in
the last
Convoca-
tion.

Thus has the *Practice* of Convocation stood; and 'tis certainly agreeable to the *natural Reason* of the thing, that they who have a Right to *direct* the Consideration of Business, and to *prescribe* a time for returning it, should also be the proper Judges, whether the Purposes they have in their Eye, be most effectually answer'd in *Writing*, or by a *verbal Report*. Not to insist therefore upon the evident Necessity of *Writing* in this case, (upon a Point wholly new, to be determin'd from Records, some of which are very obscure and imperfect, and where a diligent *Examination* and *Comparison* of all Particulars was absolutely necessary;) nor yet to observe, that the *Refusal* of so fair a Method, is a strong Presumption, that the Advocates themselves *distrusted* their Cause: Not, I say, to insist upon these (however of moment towards the Justification of their Lordships) the Case, and all the Consequences of it, depend principally upon this, Whether the Arch-bishop and Bishops have a *Right* to require the Clergy as oft as they judge it expedient, to bring their Answers in *Writing*? Because, if that Right be vested in them, the *Refusal* on the other side was a manifest Violation of it; and so the Refusers became obnoxious to the Censure of the Upper-House, and chargeable with all the Mischiefs arising from that Act of Disobedience. For so I must beg Leave to call it, after so many plain Precedents of a Command to the Lower-Clergy, to put their Opinions in *Writing*, without any one Mark of Doubt or Scruple, whether it should be comply'd with, before the last Convocation. And then indeed it was not only a *Scruple*, but a flat Denial, and a peremptory Resolution, Not to descend to any Particulars upon the Point of

Continuation,

Continuation, but in the way of a *free Conference*. Upon the Proposal whereof by those of the Lower-House, (Sess. 12.) with a Declaration of their Lordships, that they insisted upon an Answer *in Writing*; it was put to the Question, (Sess. 13.) "Whether the House would give "their Answer *in Writing* at large, or desire a "*free Conference*; and carry'd for a *free Conference*. Again, (Sess. 14.) it was resolv'd, that an humble Application be renew'd to their Lordships for a *free Conference*.

Free Conference, a Term unknown in Convocation.

No such free Conference ever desir'd by the Clergy.

This is a new Term, borrow'd from the Proceedings of Parliament, and never known in any *Convocation* before the last. The Acts frequently speak of the *Colloquia* and *Traſtatus* which the Arch-bishop and his Brethren had, in the Upper-House, with the *Prolocutor* and some of the Inferior Clergy; or (if their Lordships so order'd it) with the *Prolocutor* alone. But I don't remember, in all the Registers before 1689. any Instance of the Clergy's *desiring* a Conference of any kind, except one in the Year 1661. the Circumstances whereof were widely different from the present Case; and they were *then* very far from *insisting* upon it, against the express *Resolution* of the Upper-House. The occasion was this: During the Consideration of the *Liturgy*, the Lower-House had certain Emendations ready to be carry'd up to their Lordships. Dec. 12. *Dominus Prolocutor, cum consensu, ut asseretur, totius Domus Inferioris ad Presidentem & Domum Inferiorem missus est, ad petend. se cum tribus vel duobus alijs e Domo Inferiori admitti ad conferend. cum Dominis Episcopis in Domo sua seden. Dictoque Prolocutore, &c. admissio & adveniente, dictus Prolocutor presentavit Domino Presidenti, & tradidit in manibus suis, nonnullas*

nonnullas Papiri Schedas, Emendationes alicujus Libri publicarum Precum concernen. These were read, debated, and approv'd; and then the *Prolocutor*, &c. was dismiss'd. The occasion of their making this Request, seems to have been a necessity of their explaining to their Lordships the *Grounds* and *Reasons* of some of the Alterations they had then made. But what is all this to such a *free Conference* as is practis'd in Parliament and was now propos'd by the Inferior Clergy; in which *Managers* of both Sides were to be appointed, with special *Instructions* from each House. The Prolocutor in 1661. desir'd to confer with their Lordships, who thinking it in that particular a proper way of receiving the sense of the Lower House, immediately admitted him. But neither he nor the House insisted upon that, as the only way in which they would give their Opinions; much less did they resist an express command from their Lordships to put them in *Writing*; which was the Case in the last Convocation, and very unlike the *Dutiful Proceedings* of the Clergy who assisted in that Revision and Establishment of our Liturgy.

As to the Case in hand, their Lordships had undoubtably a Right to *require* the Answers of the Lower House *in Writing*; and judging it a necessary method of coming to a true State of the point of *Continuations* then in dispute, did *insist* upon their right, and directly *requir'd* Obedience. On the other hand, the Clergy *refus'd* to do it, and *persisted* in that Refusal; and not only so, but proceeded also to the Irregularities of Adjourning to *different Days* and *by the consent of their House*. Afterwards, as if the Obstruction had laid wholly on their Lordships side, they passed a formal Vote (May 22.) for a Request

Inferences
in vindica-
tion of
their Lord-
ships.

quest to their Lordships, pressing them to put some end to the present difference between the two Houses in relation to their *Prorogations* and *Adjournments*. Considering how themselves were then in a State of *Contempt*, upon refusing to comply with the Lawful Commands of their Superiors, and that nothing but this their Refusal put a stop to the measures of Accommodation; I appeal to any impartial Man, whether that Motion, intended to be made to the Upper House, was fit to be offer'd any where but in the Lower, in which the *Obstruction* solely lay.

C H A P. XI.

The Right of the President and Bishops to take to them the Assistance of Persons learned in the Law, &c.

BESIDES the *Opinion* and *Assistance* of the Inferior Clergy acting in conjunction with the President and Bishops, as Members of the same Convocation; their Lordships have a separate Power to advise with Counsel either in the *Common* or *Civil* Law, upon any difficulty in the Course of their Proceedings; in Cases, more especially, where there is any danger or appearance of their interfering with the *Statutes* and *Customs* of the Realm. The *Manner* of taking their Advice, has been either by admitting them to the Debates of the House, or appointing a Select number of Bishops to lay before them any Doubts or Difficulties that were in their way, and to desire the Opinion.

Anno

Anno 1419. Sess. 3. *Coram Archiepiscopo, &c. adductus fuit quidam Ricardus Walker, &c. quem (ut asserebatur) Prior Ecclesie Cath. Wigorn. tanquam Sortilegum, & de Sortilegio suspectum, &c. apprehenderat* — Being examin'd, he was remanded to Prison, *usque deliberari posset per Jurisperitos quâ panâ talis Sortilegus esset per Jurisperitos puniendus.*

Anno 1425. Jun. 8. Two Hereticks remanded in the same manner, *Donec Reverendissimus Pater, de concilio & avisamento Confratrum suorum, ac Jurisperitorum, deliberaret quid cum eis faciend. censeret, & si in Panam Relapsus cecidissent necne.*

Anno 1428. Upon the Question, Whether the Religious should receive Hereticks as Prisoners into their Houses, the Register adds, *Et quia, ut asseruerunt, materia illa (ut eis videbatur) gravis erat, ac res quadam insolita & inaudita, Supplicarunt Domino pro deliberatione ulteriori in hac parte habendâ, ad finem quod possent communicare cum Jurisperitis, ne eis aut eorum Privilegijs seu Indultis Apostolicis præjudicium aliquod generaretur.*

Anno 1460. Maij. 20. *Administratis per Mr. Johannem Stoks Prælocutorem, &c. certis Articulis utilitatem Regis & Regni Angliæ & defensionem Ecclesie Anglicanæ concernentibus, Reverendissimus Pater cum consensu suorum Confratrum in dictâ Convocatione præsentium, elegit certos viros præeminentis Scientiæ, viz. Magistros Rob. Styllington, &c. Legum Doctores, ad interessend. pertractand. & consiliand. cum eis de & super hujusmodi Articulis, coram dicto Reverendissimo Patre, & suis Confratribus, &c.*

Anno 1586. Sess. 3. Mar. 3. Lower House Book, *Dominus Prolocutor significavit præsen-*

tem Voluntatem Reverendissimi ac aliorum Dominorum Pralatorum de benevolâ Contributione, &c. & quôd de hujusmodi Libello concipiendo maturior deliberatio cum Jurisperitorum consilio habeatur.

Anno 1640. Sess. 12. May 16. Upon a Debate concerning the Fees for Churchings, &c. Reverendissimus, cum Consilio & assensu Pralatorum & Confratrum suorum, negotium hujusmodi Attornato Generali Domini Regis significand. fore decrevit, ut ipse de aliquo Remedio pro eis in hac parte curaret.

Eod. Anno Sess. 13. Reverendissimus, cum Confratrum consensu, elegit Dominos Episcopos Elien & Bristol, ad consulendum cum utroque Dominorum Justiciariorum Primariorum citra certas Clausulas & Verba in Canonibus contra Recusantes. They make their Report, Sess. 15. that Sir Edward Littleton advis'd, ut quadam verba in isto Canone expungerentur, & alia verba magis apta in loco eorum conscriberentur.

Eod. Anno Sess. 25. Reverendissimus in presentijs Domini Johannis Lamb Militis, &c. qui ad informandum Reverendissimum & Episcopos vocati sunt, tractavit cum Domino Prolocutore citra Canones.

Anno 1661. Jan. ult. A Question arising, Whether the Bishops might be present in the House of Lords in Causes of Blood, Concordatum & ordinatum fuit, de & cum consensu totius Domus [Superioris] ad consulend. Jurisperitos tam in Foro Seculari quam in Curijs Civilibus & Ecclesiasticis versatos, de & super dictâ Questione sive Argumento, erga proximam Convocationem.

Anno 1662. Apr. 12. Habito tractatu de Subscriptionibus Clericorum Instituendorum, &c. Dominus Episcopus London Præsident, &c. curam commisit

*commisit Reverendis Patribus, &c. ad consulend.
Jurisperitos de concipiendâ Formâ in Scriptis in
& circa Subscriptionem prædict.*

I produce these Evidences, to justify their Lordships from the Reflections cast upon them, for declining to joyn the Lower House in the Censure of Toland's Book. The History of which Case, with the *Reasonableness* of what they did therein, is set forth at large in the *History of the Proceedings of the Upper House*; and comes no otherwise under my Consideration, than as their Lordships appear from hence to have acted agreeably to the *Practice* of Convocation, in *advising* with Council, and upon that Advice determining themselves.

Applicati-
on of these
testimonies

The Penalties of the Statute, 25 H. 8. c. 19. (upon the *extent* whereof, the Question depend-
ed) are very great; and if incurr'd in *Convoca-
tion*, would have affected the whole Body of
the Clergy of this Province. And therefore my
Lords the Bishops (the Governours of the
Church) could not involve the Clergy, either
of this or future times, in a difficulty of that
nature, by omitting any methods of informing
themselves whether the Act could be clearly war-
ranted in Law. And who were so fit to be their
Guides in that Point, as Council Learned in the
Law? to whom Recourse has been ever had in
all Doubts of the same nature; as it was particu-
larly in the Convocation of 1689. and upon this
very Question too, *viz.* the Power they had in
Law to pass a Censure of this kind.

The neces-
sity of ha-
ving re-
course to
Council a-
bout the
Censure of
Books.

As their Lordships must be presum'd to have taken the Advice and Opinion of the *Ablest* Men in the Profession, and such withal whom they knew to be Persons of honour and integrity; so it becomes not me, or any other Person so
little

P. 53.

little entitl'd to Accomplishments of that kind, to call in question either the *Justness* or the *Conscience* of that Opinion. The Narrative of the Lower House says, *that though some eminent Lawyers were against it, there were others perhaps as eminent, who are of a contrary Opinion.* It may be so, but did my Lords the Bishops understand so much? or suppose they had, such a Difference in Opinions is no uncommon thing; nor must we in many cases ever determin our selves, if we stay till all Men be unanimous. Their Lordships therefore having appli'd to those of the Profession, in whom they thought they could entirely confide, had reason to acquiesce in the Judgment they gave; especially, when they were so expressly warn'd that the *Effects* of their Acting against it were to reach the whole Body, and so themselves became thereby much more inexcusable for *endangering* that Body, after a Caution given them by such competent Judges, and upon so much deliberation.

Their recommending the Case to the B. of the Diocese agreeable to the Practice of Convocation.

But the Statute being a Restraint upon the Convocation only, and not upon the Ecclesiastical Courts of every Bishop, confirm'd and establish'd by Law; their Lordships, desirous to discourage the publication of such Books by all methods consistent with the Clergy's safety, recommended that matter to the Bishop in whose Diocese the Offender resided, and who upon that account had a right to *Summon* and *prosecute* him in a Legal way. A method, that we find taken in Cases of that kind, even while the Convocation had an indisputable right not only to *judge* of Heretical *Doctrines*, but to convene, censure, and punish the Heretick.

Anno 1416. May 23. One John Barton, of the Diocese of Lincoln, was accus'd of holding

ing Heretical Opinions : And, May 26. the Register says, *Præfatus Dominus Johannes Barton, per Dominum Cantuariensem fuit deliberatus Reverendo Patri Philippo Lincoln Episcopo, ut ipse procederet contra eum Secundum Canonicas Sanctiones.*

Again, at the conclusion of the same Convocation we find this Entry : *Memorandum, quòd Ds. Robertus Chapell, &c. post dictam Convocationem finitam, etiam ex deliberatione & consilio Prælatorum inibi existentium, fuit remissus ad Episcopum Roffensem, ad effectum quòd ipse procederet contra eum, prout de jure fuerit procedend.*

Anno 1428. July 16. The Rector of Hegely, of the Diocese of Lincoln, being examined in Convocation, *tandem Dominus mandavit ut idem Robertus traheret se ad partem, & ordinavit ut Confrater suus Episcopus Lincoln, &c. procederet contra eundem, ut Ordinarius suus in hac parte.*

Anno 1430. Mar. 2. In the Case of one Thomas Bagley accus'd of Heresy, *Dominus videns quòd ipse & Confratres sui nihil possent proficere in eo ad adificationem Animæ suæ, mandavit Dominus London, ut ipsum reciperet, & contra eum procederet, Secundum quod in hac parte dictaverunt Sanctiones.* And, Mar. 5. *Dominus assignavit eidem Thomæ diem Veneris tunc prox. ad audiend. Sententiam ferend. contra eum, per Dominum Willielmum London. Ordinarium suum, pro eo quòd in Diæcesi sua extitit Beneficiatus.*

Anno 1463. July 16. An accusation being brought in against one of the Diocese of Winchester, *Dominus commisit eum Confratri suo Willielmo Winton. Episcopo puniend.*

I.

And

And in the very Convocation of 1689 (the Right Reverend the Bishop of London Presiding, and the present Bishops of Rochester, Winchester, Exeter, and Worcester, being then Members of the Upper House) this method was markt out to them, as appears from the *Declaration* they then made, viz.

Anno 1689. Sess. 13. The Prolocutor and Lower Clergy being sent for to the Upper House, Reverendus Pater Praeses eis declaravit ad effectum Sequen. Scil. quod conscij fuerunt diversas esse Clausulas perniciosas in Libris alijs penes eos ex directione dictae Domus relict. sed informati sunt per Juris-peritos utriusque Juris, proprias esse Curias Judiciales pro punitione delictorum hujusmodi.

I do not mention either this or the foregoing Instances, as agreeing in all respects with the present Case; but only to show the readiness of their Lordships (upon a reasonable Apprehension of Danger to the Church and Clergy from the measures propos'd) to enter upon such other methods as the Laws of the Land would permit, and they were sure the Practice of Convocation would justifie.

Thus far we have seen the Clergy in Convocation *debating, preparing and returning* Matters immediately recommended to their care by the President and Bishops, and consider'd in the *manner* and to the *purposes* directed by their Lordships.

Our next business is, to shew the *Rights* to which the Clergy are entitl'd by the constant *Practice* of Convocation, and the *Regard* that upon the same ground is due from my Lords the Bishops,

to their *Application* and *Advice*; with the Interest they have in the *final issue* of all *Synodical Acts*.

These I think, come under the four following heads, *viz.* their Right

I. To present their own and the Church's *Grievances*, to the President and Bishops.

II. To offer to their Lordships their *Petitions* of any other kind.

III. To be with them as a part of the Judicature, upon Persons *conven'd* and *examined* in Convocation.

IV. To dissent finally from any Matter, so as to hinder it's passing into a *Synodical Act*.

C A H P. XII.

The Gravamina and Reformanda, in Convocation.

I. **F**ROM the most early accounts of Proceedings in Convocation, it appears to have been usual for the Clergy to lay before the President and Bishops the *Grievances* under which they labour'd, and with a dutiful submission to the judgment of their Lordships to pray a *Redress*. These were stil'd the *Gravamina* or *Articuli Cleri*, and chiefly concern'd matters relating to Jurisdiction and their Civil-Property, *viz.* The Encroachments of the Lay-Officers, the Exactions and other Irregularities of Ecclesiastical Courts, and such like, called frequently upon that account *Injuria*. Sometimes therefore the Redress of them made an express Condition of the Subsidies they granted; and accordingly,

The *Gravamina* often consider'd and presented with the Subsidies.

cordingly, in some Instances, we find them presented to the Court together with the Subsidy Bill, and the King's Answer afterwards reported by the President.

Anno 1369. *Concesserunt Domino Regi decimam biennalem solvendam eidem Domino Regi infra biennium à tempore dictæ Concessionis numerandum. — Sub istis tamen Conditionibus adjectis & additis per dictum Clerum, viz. quòd dictus Dominus Rex Injurias & Violentias ac alia Gravamina Viris Ecclesiasticis in enervationem libertatis Ecclesiasticæ per Ministros Regios multipliciter attemptata, & per ipsum Clerum in Scriptis redigenda, & dicto Domino Archiepiscopo, & per eum Domino Regi porrigenda, corrigat & reformet. Et tunc Dictus Dominus Archiepiscopus voluit quòd Clerus & Religiosi prædicti Petitiones suas super dictis Injurijs, Violentijs & Gravaminibus in scriptis redigerent, & sibi porrigerent, &c. quòd super eis cum suis Confratribus poterit consulere & deliberare, & eas, habitâ deliberatione hujusmodi, unâ cum concessione decimæ biennalis prædictæ dicto Domino Regi intimare; & assignavit dictis Clero & Religiosis diem Sabbati prox. seq. ad comparendum coram eo in dictâ Capellâ horâ primâ, voluntatem Regiam super dictis Petitionibus, & etiam grates regias pro dictâ Concessione, quas reportabit, audituris. Et ad hoc faciendum continuavit dictam Convocationem ad diem Sabbati supradictum.*

Anno 1373. Dec. 2. Upon the Clergy's Motion to have their Grievances redress'd by the King, they were directed to consider of a Subsidy, & quòd interim Informarent Petitiones suas super Reformatione Injuriarum, ut eas conciperent in Scriptis, quòdque responsiones darent die prox. sequenti.

— Dec. 8.

— Dec. 8. The Bishop of London Presiding, *Coram eo Procuratores Cleri ibidem comparentes*, Decimam, &c. concesserunt, ac dictam Concessionem in Scriptis dicto Domino London. Episcopo porrexerunt, unà cum quibusdam Supplicationibus pro Reformatione quarundam Injuriarum Ecclesie Anglicane illatarum in eadem Scripturâ content.

Anno 1376. Non. Febr. The Grievances were presented to the President and Bishops; and 12 Kal. Martij. we find the Archbishop making his Report to the King's Answer *Pralatis & Clero*, — & *habita deliberatione per dictos Prælatos & Clerum super hujusmodi Responsione Dominus Continuavit*, &c.

And again, 2. Kal. Martij (I suppose, upon some further Application made by the Clergy) the Archbishop acquaints them with the King's Readiness to comply with their Petitions, *Eas salvo jure Coronæ suæ feliciter expedire*.

Anno 1379. 4. Kal. Martij. *Pralati & Clerus concesserunt Domino Regi*, &c. *rogando Dominum Regem, quòl Injurias & Gravamina illata Ecclesie & Viris Ecclesiasticis faceret revocari*.

Anno 1384. At the end of the Convocation, *Clerus porrexit certos Articulos, petendo Remedium; & Concessit Medietatem*, &c.

Anno 1421. The Archbishop's Official, in the name of the rest, *produxit unam Cedula Papiri, formam Concessionis unius integræ Decimæ continentem*, &c. *cum hoc quòl per Dominum Regem, auctoritate Parlamenti tunc apud Westm. præsentis, posset adhiberi remedium certis Gravaminibus eis illatis*.

In these and other Instances, the Clergy (who had a Right to Petition for Redress) were wil-

The Grievances to whom address'd.

ling those Petitions should accompany the Grant, because that made them sure of a favourable Answer. But this was not constantly observ'd; nor were all the *Grievances* address'd to the King, but many of them ultimately to the Archbishop and Bishops, when the Matter thereof concern'd their Courts, and so the Redress was in their Lordships Power. We find also (*Anno 1399. Oct. 11.*) mention made of such Articles offer'd to the Pope, in a Case (we may imagin) that was not *otherwise* to be reform'd. *Decanus Ecclesiæ Hereford. Articulus de mandato Domini Archiepiscopi palam & aperte perlegebat. — Et quia in dictis Articulis continebantur certa Gravamina per Sedem Apostolicam reformanda, visum fuit satis honestum & expediens Domino Archiepiscopo, &c.* that the Pope's Collector should be sent for, and advis'd with: Whose Council was, That the King, the Archbishop and Bishops should write to the Pope *pro Reformatione eorundem.*

In like manner we meet with Applications of the same kind, as to the King *singly*, so to the King *in Council*, to the King *in Parliament*; as Redress was most probably and regularly to be had, either in the one or the other.

The Points of this kind, consider'd and debated in Convocation, were either *General*, when the Matters to be reform'd had Relation to the Common Good of the Church; and, equally affecting the Bishops and Clergy, were settl'd in a *Synodical* way, and address'd and presented in the Names of both; which the Registers call *Reformanda in Convocatione*, *Reformanda in Parlamento*, &c. Or else *Particular*, when the Bishops or Clergy had Grievances to offer that affected only their own Order respectively; and in such

such cases, tho' the Clergy presented theirs to the Upper-House for their Approbation and the Conveyance of them to the King or Parliament, yet the Form ran in their own Name only; which were properly what we call the *Gravamina* and *Articuli Cleri*.

These, the Clergy in Convocation have an undoubted Right to present; but, as they are to be laid *immediately* before the Upper-House, so the Arch-bishop and Bishops have a Right to direct (as oft as they see cause) at what Time they shall be propos'd, and offer'd in Form.

The Upper house have a Right to direct at what time the Grievances shall be propos'd.

Anno 1356. 16. Kal. Jun. *Archiepiscopus injunxit Religiosis & alijs de Clero, quòd die tunc crastinà proponerent Petitiones suas.*

Anno 1369. 10. Kal. Feb. *Archiepiscopus voluit, quòd Clerus & Religiosi Petitiones suas super Injurijs, Violentijs, & Gravaminibus, in Scriptis redigerent, & sibi porrigerent die Veneris.*

Anno 1373. The Clergy directed, *Quòd interim informarent Petitiones suas super Reformatione Injuriarum, ut eas conciperent in Scriptis, quòque Responsiones darent die prox. Sequent.*

Anno 1377. 2. Id. Nov. The President *præmunivit quòd unus Clericus de quolibet Episcopatu dictæ Provinciæ Cant. veniret ad Ecclesiam S. Pauli London, & ibidem inter se post prandium, &c. deliberarent super Petitionibus formandis de singulis Gravaminibus communiter Clerum cujuslibet Episcopatus tangentibus.*

Anno 1399. Oct. 6. *Quia videbatur Domino Archiepiscopo & alijs Episcopis sue Cant. Provinciæ satis difficile omnes Prælatos & Procuratores Cleri in communi congregare ad concipiend.*

Articulos ex parte Cleri proponendos, propter hoc deputavit 5. Personas, viz. Mag. Thomam Stowe, &c. ad concipiend. Articulos ex parte Prælatorum & Cleri, super quibus prætendunt Ecclesiam & se gravatos.

Anno 1411. Dec. 2. Archiepiscopus mandavit Procuratoribus Cleri, quatenus si aliqua essent Gravamina ex parte eorum Reformatione indigentia, quod vellent & deberent citra diem Veneris extunc proximò futur. coram Convocatione Dominorum in Domo Capitulari seriofius intimare.

The Grievances first offer'd in a general Representation, viva voce. At other times, when the Clergy had receiv'd no previous Direction to bring their Grievances in Writing, we find them first making a general Representation thereof, *Vivâ voce*, to the Archbishop and Bishops, and upon that, either leaving them to their Lordships Consideration, or receiving Directions, what was further necessary to be done.

Anno 1356. On the first Day of Business, they are directed only in general *quod die tunc crastinâ proponerent Petitiones suas*: And the next Session 'tis thus express'd, *Propositis quibusdam Petitionibus per Clerum tam vivâ voce quam in Scriptis.*

Anno 1373. Dec. 2. The Clergy, upon a general Motion for the Redress of Grievances by the King, are commanded *Informare Petitiones suas super Reformatione Injuriarum hujusmodi.*

Anno 1411. Nov. 4. The Clergy (according to the Order of Dec. 2. just now cited, that they should Gravamina, &c. *Seriofius intimare*) did it on Dec. 4. in the following manner, *Comparuerunt Procuratores Cleri, qui plura referebant Gravamina; allegantes, quod de tot & tantis se sentijt Clerus malis prægravatum, quod nisi in Scriptis*

Scriptis contineantur, non possent de facili recenseri. The Proctors retire, and the Arch-bishop and Bishops debate about the same Matter. —

Procuratores, &c. reintrarunt circa horam undecimam; quibus per Dominum Archiepiscopum ad tunc mandabatur quòd citra proximum diem Convocationis exhibeant & declarent Articulatim Gravamina sua in Scriptis redacta. — Accordingly, Dec. 7. two of the Members nonnullas Inconvenientias & Gravamina pro & ex parte Cleri, cujus gerebant Organa vocis, exposuerunt, quæ in Scriptis redacta exhibuerunt.

Anno 1452. The Prolocutor having given the Upper-house an Account of what was done about the Subsidy, is askt, *An quicquam voluisset pro parte Cleri in Ecclesiâ Anglicanâ Reformatione dignum proponere.* And he, continuo & quasi ex insperato quamplurima, &c. proposuit. Et quia non erat facile singula per ipsum ibidem exposita memoriæ, quæ admodum labilis est, commendare, idcirco admonuit eundem Prolocutorem dictus Reverendissimus Pater, ut singula per eum in hac parte proposita redigeret in literas, & Concilio traderet, plenius & maturius super eisdem deliberaturo.

Anno 1452. Feb. 7. Prolocutor, post explicationem & declarationem nonnullorum Gravaminum Ecclesiæ Anglicanæ & Clero ejusdem à Laicis illatorum, super quibus petijt Reformationem debitam, intimavit, &c.

Anno 1460. May 13. Propositis ibidem coram dicto Reverendissimo Patre & alijs in dictâ Domo Capitulari protunc ibidem existentibus quibusdam Articulis per Prolocutorem vivâ voce, dictus Reverendissimus Pater decrevit hujusmodi Articulos sic vivâ voce declarari. in Scriptis redigi.

Anno

The Gravamina and Reformanda

Anno 1460. May 24. *Reverendissimus, &c. auditis per eum pluribus Articulis coram ipso ad iunc vivâ voce ministratis, continuavit, &c.*

Anno 1541. Sess. 8. *Accessit Prolocutor cum quibusdam de Electis à Clero, & exposuerunt querelas suas.*

Thus, the usual Methods of entring upon the *Grievances* of the Clergy, were either upon an expresse *Command* from the Arch-bishop and Bishops, or by a *general Representation* thereof to their Lordships; who being in that manner sollicitated to redress them, (either by their own *ordinary Power*, or by *Intercession* with the *King*, or *Application* to the *Parliament*) were the best Judges of the Methods most proper to be taken for that End, and gave their Directions accordingly.

The Redress of Grievances.

The *Grievances* being reduc'd into *Articles*, and read in the Upper-house by the Prolocutor, were presented to the Arch-bishop and Bishops, to be by them particularly consider'd and debated; in order to their further Prosecution of such Measures as should appear most effectual to the Relief of their Clergy. After mature Deliberation upon them, with the Clergy, or among themselves, as seem'd most convenient; the Articles were either *suspended* for some time, (as those in 1411. Dec. 7. *Omnes isti superscripti Articuli, quorum Reformatio deliberationis & dierum exegit Inducias, de consilio & assensu expressis Dominorum in Convocatione presentium positi fuerunt adhuc in suspenso*) or, being thought in all Respects just and reasonable, they were approv'd, and Measures taken by the President and Bishops in *Convocation*, or by their *Ordinary Authority*; if the *Matters* were such as came

came under their own Power in either of these Capacities. Otherwise, they convey'd them to the King, in Person, in his Council, or in his Parliament, according to the Nature of the Requests they offer'd.

II. The *Reformanda* (whether in Convocatione, *The Reforma-*
in Parlamento, or per Regem) were upon Mat- *manda fre-*
ters that concern'd the Good of the Church and *quently*
Religion in general, and being therefore equally *propos'd*
the Care and Concern as well of Bishops as *by the Arch-*
Clergy, were frequently mov'd and propos'd by *bishop a-*
the Arch-bishop, at the Opening of the Convo- *mong the*
cation, among the *Causes* of his Summons. *Causes of*
Convocati-
on.

Anno 1400. Jan. 29. The Arch-bishop explains *Causas & negotia Celebrationis sui Concilij Provincialis Convocationis Cleri vulgariter nuncupat. viz. pro defectibus ejusdem Provinciae tam in Clero quam in Populo juxta Juris Exigentiam Canonice Reformandis*; and then he descends to the Particulars.

Anno 1404. May 17. (The first Day of Business) the Arch-bishop continuing the Convocation to May 21. *demandavit alijs Prælatiſ & Clero tunc ibidem præſentibus, quod ſingulis diebus interim ad dictum locum [Domum Capitularem] convenirent, & laborarent circa Reformanda in Cantuarienſi Provincia, & exinde Articulos conciperent in Scriptis redigendos, ut cum Dei adjutorio adhibita eorum Benevolentia in hac parte, quæque Reformanda hujusmodi poſſent reformari.*

Anno 1416. Nov. 16. ——— *Expoſitâ per Reverendiſſimum Patrem Cauſa Convocationis eorum protunc factâ & celebratâ, communicatõeque inter eoſdem, [viz. the Biſhops and Clergy then preſent] aliquamdiu de & ſuper varijs Reformandis*

mandis in Provincia, tandem Dominus Continuit, &c.

Anno 1419. Among the *Causes* of calling the Convocation, particularly explain'd by the Archbishop, the third is, *Pro defectibus in Clero regnantibus, auctoritate illius Provincialis Concilij reformandis* : And then he directs the Lower-Clergy to retire to their House, & quòd ibidem de & super materijs prædictis tractarent & communicarent, ad finem quòd habitâ deliberatione de & super præmissis, ad Dei laudem auctoritate Concilij finaliter concludi posset & concorditer ordinari.

Anno 1434. The Arch-bishop reckons up several Grievances of the Church ; *Et tunc habita Communicatione super hujusmodi Gravaminibus, ordinatum erat tunc ibidem ut hujusmodi Gravamina ac alia quæcunque in quibus dictus Clerus se sentijt gravari, nec non si quæ forent Crimina & Excessus infra Clerum usitat. quæ necessariâ Reformatione indigerent, in Scriptis redigerentur ; ut super his omnibus ex communi consilio, consensu, & auxilio, Remedium posset debitum adhiberi.*

Anno 1439. The Arch-bishop declares the *Causes* of the Convocation, viz. *qualiter Jurisdicctio Ecclesiastica per Brevia Regia, & præcipuè per Brevia illa de Præmunire facias plus solito extitit perturbata, impedita, atque enormiter læsa.* — *Qualiter Personæ Ecclesiasticæ, tam Seculares quàm Regulares, per falsa Indictamenta & alias vias Exquisitas plus solito vexatæ & gravatæ sunt his diebus.* — And the next Session, Dominus mandavit Prælati & Clero, quatenus super præmissis & alijs materijs quibuscunque Reformatione necessaria indigentibus, viz. *Qualiter illud Breve de Præmunire facias, & ip-*
sa

sa falsa Indictamenta quæ hodiernis diebus falsò, nequiter, & malitiosè ustantur & continuantur, in aliquo mitigari aut pro perpetuo deleri & finaliter extinguì valeant — & Billas & alia Advisamenta in hac parte necessaria ad præmissa Reformanda conciperent.

Anno 1444. After the mention of the fore-said Writ among the *Causes* of Convocation, the Arch-bishop adds, *Qualiter in Ecclesiâ Anglicana fuerant plurima Reformatione digna, de quibus voluit & asseruit cum Confratribus suis plenius deliberare.* — And in the next Convocation (when these things made a part of the *Speech* at the first Opening) we afterwards find the *Reformanda in Convocatione*, and *Reformanda in Parlamento*, at large.

In Compliance with such general Directions from his Grace, or (tho' these were not *expressly* given) in pursuance of one great End of these Synodical Meetings of the Bishops and their Presbyters; we find the Lower-Clergy, 1. Making *general Representations* to the President and Bishops, *vivâ voce*, of such things as they conceiv'd to want Reformation. 2. Bringing in *Schedules* of particular Abuses, that in their Opinion were injurious to the Honour and Interest of the Church.

I. The Clergy in Convocation have a Right to offer *general Representations* of such things as they conceive to want Reformation.

Anno 1412. At the Conclusion of that Convocation, *Domino London. Prasente, & tractante cum Prelatis & Clero Provincia super quibusdam ordinand. ad honorem Dei & Ecclesiæ, tandem certa proposita fuerunt pro parte Cleri super quibus ordinationes fieri jubebantur, & quæ Clerus in Scriptis redegit.*

The Methods of bringing in the *Reformanda.*

The Clergy's Right to propose Reformation.

The Gravamina and Reformanda

Anno 1463. Jul. 6. Dominus, assidentibus sibi Episcopis, post communicationem inter eos diu habitam, factâque Supplicatione eisdem vivæ vocis oraculo per Prælocutorem pro certis Reformationibus in Ecclesiâ habendis, continuavit, &c.

Anno 1486. Feb. 17. Dominus communicavit cum Confratribus suis, Prælatisque & Clero, de pluribus Reformandis in Ecclesiâ. Et ibidem inter eosdem responsum erat, quòd Privilegia Priori Sancti Johannis Jerusalem in Angliâ & Fratribus suis concessa, malè & enormiter his diebus utebantur: Et quòd Prædicantes verbum Dei apud Crucem S. Pauli London. maximè clamant contra Ecclesiam & Ecclesiasticos in eorum absentia & in præsentia Laicorum, qui semper Clericis sunt infesti.

Anno 1529. Sess. 4. Ingressus est Prolocutor cum quibusdam de Clero, qui exposuit certa Capitula in vulgari concernen. utilitatem prædictæ Synodi pro Reformatione Abusionum. Et ibi Reverendus monuit Prolocutorem ut rediret in Domum Inferiorem, & conciperet Articulos de Abusionibus. Accordingly,

— Sess. 6. Ingressus est Prolocutor cum Clero, & ibi exhibuerunt Articulos suos pro Reformatione; & Examinatio delata in prox. Sessionem: And, Sess. 7. Prolocutor exhibuit suos Articulos, deliberandos in proximâ Sessione.

The Bishops, &c. in the mean time, were also preparing their Articles of Reformation; for so the Register has it,

— Sess. 5. Reverendissimus voluit ut Suffraganei sui & alij Prælati conciperent Reformationem, & exhiberent tales Articulos die Luna prox. — On which Day,

Sess.

Sess. 6. Episcopus Heref. exhibuit quosdam Articulus pro Reformatione Clericorum, & Episcopi Exon. Coven. & Lichf. Lincoln. Bathon. & Wellen. exhibuerunt Billas pro Reformatione Abusionum Ecclesiarum Appropriatarum Monasteriis, &c. de quibus deliberatio delata in prox. Sessionem.

Anno 1562. Jan. 19. The Prolocutor, with certain of the Lower House, comes up to acquaint the President and Bishops, *Quòd quidam de dictâ domo exhibuerunt quasdam diversas Schedas de Rebus Reformandis per eos respective excogitat' & in Scriptis redact.* *Quæ quidem Schedæ de communi consensu traditæ sunt quibusdam viris gravioribus & doctioribus de Cætu dictæ Domûs Inferioris ad hoc electis perspiciend. & considerand.* *Quibus sic electis (ut asseruit) assignatum est, ut hujusmodi Schedas in Capitula redigant, ac in proxima Sessione exhibeant coram eodem Prolocutore — Et tunc Reverendissimus hujusmodi negotia per dictum Prolocutorem & Clerum incepta approbavit, ac in eisdem erga prox. Sessionem juxta eorum determinationem procedere voluit & mandavit.*

II. We find the Clergy (*i. e.* every particular Clergyman) required to bring in their Schedule of *Abuses* for the information of the Synod, and the enabling the Bishops and Clergy to proceed jointly to a Reformation.

The Clergy's Right to bring in Schedules of Reformation.

Anno 1586. Sess. 2. Lower House Book. *Post aliquem tractatum inter Reverendos Patres & Dominum Prolocutorem, cum alijs ex Inferiori Cætu, de rebus quibusdam necessarijs, dictus Dominus Prolocutor cum Cætu suo prædicto in dictam Inferiorem Domum revertebatur: And after the House was settl'd in the accusom'd manner, Habita est per Dominum Prolocutorem Admonitio omnibus*

omnibus ex hoc Cætu, &c. ut si qui sint qui aliquas Schedulas proferre vellent de rebus in hujusmodi Convocatione Reformandis, easdem sibi traderent in proximâ Sessione.

Anno 1586. Sess. 7. (In the Extracts out of the Upper House Journal) Archbishop gives Intimation at a Conference with the Lower House, to Present if any had 'Ordain'd or Instituted any unworthy Persons, or of any breach of the Canons, that it may be Reformed.

1586. Dec. 2. Extracts out of the Upper House Journal — 'Brought up by the Lower House 2 Schedules : 1. A complaint of Disorders in Norwich Diocese. 2. Another Schedule, intitul'd Suffolk-Archdeaconry.

Anno 1586. Sess. 11. Lower House Book : *Precibus finitis [Prolocutor] adiit Reverendissimum Patrem & ceteros Prælatos; & paulò post revertens, intimavit omnibus presentibus consultum esse per eosdem Reverendissimum Patrem & Prælatos de Reformatione fiendâ quoad Schedulas eidem Reverendissimo ac Domino Prolocutori exhibitas. Et quòd conventum est inter dictos Reverendissimum & Prælatos de Exercitiis fiend. per Ministros infra Prov. Cant. Et quòd iidem Reverendi Patres, cum redierint in Dioceses suas, ordinem eorundem significabunt omnibus quibus interest in hac parte.*

Anno 1588. Sess. 2. Lower House Book : *Dominus Prolocutor universo Cætui significavit, Voluntatem Reverendissimi cæterorumque Prælatorum esse, quòd si aliquis hujus Domûs noverit quenquam Ministrum de quo justè conqueri possit, quòd contra Leges Ecclesiasticas nunc temporis auctoritate legitimâ receptas & approbatas se gessit & gerit; aut si aliquis noverit quenquam qui Canones in ultimâ Convocatione approbatos & edictos violaverit,*

taverit, eosdem in Scriptis denunciarent Reverendissimo Domino Cant. Archiepiscopo, caterisque Dominis Prælati prædict. pro debita Correctione & Reformatione in eâ parte faciend. Accordingly,

The next Session, we find this Intimation of such a *Schedule* brought in: *Isto die porrecta fuit Domino Prolocutori Schemula Reformand. per M. Cotton.*

From the foregoing Passages, I infer this plain account of the *Reformanda* in Convocation. While the Archbishop and Bishops are suppos'd to be consulting in the Upper House whether any *Regulations* in the Church or in their particular Diocese, be necessary at that time; The Clergy in the Lower House (who are suppos'd to be Eye-witnesses of many things that don't ordinarily reach the notice of their Diocesan) have a right, either jointly or separately, to lay before their Lordships an account of any disorderly *Persons* or *Practices* they know: And this, either *viva voce*, by the Prolocutor, or in Schedules put into the Prolocutor's hands, in order to be severally laid before the Archbishop and Bishops, and to be compar'd and jointly consider'd with those of the same kind exhibited by their Lordships. These *Reformanda*, in many cases, could require no more than the strict Exercise of the *Ordinary* Jurisdiction in every Diocese, and were therefore answer'd by a solemn Recommendation of them to the care of the Bishops respectively. But if the Abuses call'd for a *new* Law, and the *Reformation* of them requir'd the assistance of the Prince or the Parliament, these *Schedules* were reduc'd into Articles, and upon them (as containing the general sense and request of the Synod) such Sol-

Inferences
from the
foregoing
Accounts:

licitations were set a foot, as were judg'd necessary to bring about the Reformation desir'd.

The Care of the Re-
formanda in
Parliamento usually left to
the Arch-
bishop, &c.

The Applications upon the Reformanda in Parliamento were usually left to the care of the Archbishop, Bishops, and the Parliamentary Prelates; one instance whereof I will set down at large, because it is more distinct and particular than the rest, and will give the Reader a clear apprehension of this matter.

Anno 1452. Mar. 2. *Quia cetera Negotia que in Ecclesiâ Anglicanâ Reformatione indigebant, Majestatem Regiam & Jura regni concernebant, & sic definitioni & Sententiæ dicti Concilii nequaquam interim subiacebant; supplicatum fuerat ex parte Cleri, quatenus dictus Reverendissimus in Christo Pater, necnon dicti Reverendi in Christo Patres, ceterique Prælati ad tunc ibidem existentes in Parliamento, quod tunc in prox. diebus apud Radyng inchoand. fuerat, apud Regiam Celsitudinem, necnon Optimates, Proceres & Communitatem prædict. regni in eodem Parliamento in unum congregandos, pro Reformatione hujusmodi ritè faciend. efficaciter instarent. Cujus Supplicationi annuit idem Reverendissimus in Christo Pater, Reverendique in Christo Patres, promittentes se curaturos & acturos apud Regiam Celsitudinem, necnon Optimates, Proceres, Communitatemque prædict. quoad in eis foret, pro felicitate & celeri Reformatione eorundem, sicut & in Parliamento prædict. pro viribus suis pro eadem Reformatione instarunt.*

Deputies
appointed
by Convo-
cation to
assist the
Bishops in
Soliciting.

On some other occasions, we find a certain number of the Clergy, deputed by Convocation, to assist the President and Bishops in soliciting their business.

Anno 1444. Octo. 22. The Clergy are directed, quatenus pro corrigend. & reformand.

&c.

&c. inter se deliberarent — Oct. 25. Clerus Domus Inferioris desiderabat ab Episcopis & aliis Prælatiſ sentire ſuum ſuper Cedulâ de Reformand. in ipſâ Convocatione per Clerum concept. & ad tunc Dominus Bathon [Commiſſarius] de Conſenſu Confratrum ſuorum Religioſorum & cæterorum Procuratorum Cleri, manu ſua propriâ ſubſcripſit ſingulos Articulos in eadem Cedulâ contentos. — Et quantum ad Reformanda per Parliamentum, nominati in dictâ Cedulâ fuerunt Deputati ad ſolicitand. dictam Materiam.

Anno 1452. Mar. 15. Assignatis inſuper quibusdam de Clero, viz. Magiſtris, &c. ad ſollicitandum, inſtruendum, & plenius informandum Reverendiſſimum in Chriſto Patrem, Reverendos in Chriſto Patres, cæterosque Prælatos, in & deſuper dictis Materiis & negotiis in Parlamento in proximis diebus inchoand. corrigend. & Reformand.

Anno 1460. The laſt day of Convocation, Pluribus Articulis lectis & recitatis, ad Supplicationem totiùs Cleri, Reverendiſſimus Pater aliique Reverendi Patres ſe penes Regiam Majeſtatem pro Reformatione eorundem promiſerunt ſuos impendere labores. Deinde, certi Viri ex clero electi fuerunt, qui dictum Reverendiſſimum Patrem & alios Reverendos Patres ad præmiſſa faciendâ ſollicitarent.

Thus much is ſufficient, to ſhow what part the Clergy in Convocation have always born, and may therefore juſtly claim, in Grievances and Reformation; diſtinguiſht in Convocation-language from all other Buſineſs, by the known Names of Articuli or Gravamina Cleri and Reformanda. Their Petitions and Applications of other kinds, come next under Conſideration.

C H A P. XIII.

The Clergy's Petitions of other kinds.

THE Clergy in Convocation have a Right not only to the Redress of their own particular *Grievances*, or to interpose of the Reformation for any disorders they may observe in the Church; but also to offer to the Archbishop and Bishops all such Measures as may in their Opinion tend to the honour and interest of Religion. This is regularly done by way of *Petition*; of which the Registers afford us a Variety, upon several matters and occasions: And my design in the following Enumeration is not (on the one hand) to lay any confinement either upon the *matter* or *occasions* of the Clergy's Petitions, nor yet (on the other) to extend them beyond the *present* Laws of the Realm; but only (in pursuance of my method all along) to give the clearest Insight that the Registers afford, into the Practice of former times: And when that is done, every Man is left to his own application.

The Petitions I have observ'd, are,

Petitions
1. For making new
Canons.

I. For the making of *new Canons* or *Ordinations*; of which sort we meet with none in the more early times, because then the Clergy had no concern in them: But in the Year 1529. *Sess.* 7. it is said that the Prolocutor (applying himself to the Upper House) *voluit ut Ordinatio fieret de Appropriationibus Ecclesiarum, & de Pensio-nibus Vicariis persolvendis.* — *Anno* 1541. *Sess.* 20. *Clerus exposuit iv. Petitiones, primò de legibus*

legibus Ecclesiasticis condendis ——— 3^o de *uni-*
endis per jus Beneficii. 4^o. *De Decimis solven-*
dis.

2. For the revival of such ancient Canons and Constitutions, as were in force, but seem'd to be disus'd and forgotten : So, Anno 1412. Sess. 2. we meet with an Address at large from the Clergy to the Bishops, praying their Lordships to *en-* 2. For the
revival of
old Canons
force the Observation of certain Constitutions.

——— Anno 1419. The last day of the Convocation, *Dominus*, ad petitionem Cleri, *quandam* Constitutionem Provinciale per Rob. Wynchelse *Prædecessorem suum editam, quæ sic incipit*, Capellani Stipendiarii, &c. *cum omnibus suis Capitulis, verbis, clausulis & dictionibus in eadem*, ad totam Provinciam suam Cantuariensem extendi & omnes artari debere, *ex consensu Fratrum suorum & autoritate totius Concilij, declaravit & pronunciavit.*

3. For the Abolition or Suspension of Laws or Customs that appear'd to be burthensome or inconvenient.

——— Anno 1428. The last day of Convocation : *Dominus ex assensu Confratrum suorum*, & ad Petitionem Cleri, *pœnam in Constitutione propter excessiva Stipendia Capellanorum, tam contra dantes quam recipientes latam, pro parte dantium suspendit usque ad proximam Convocationem, & ipsos hujusmodi pœnâ minimè involutos fore decrevit* : ——— Anno 1529. Sess. 91. *Prolocutor intrans, &c. petijt quòd presentati ad Ecclesiastica Beneficia non ardeantur per Dioecesanos scripto aliquo obligatorio, aut per a temporali obligari ad Resistentiam.* ——— Anno 1541. Sess. 20. *Clerus exposuit Petitionem de Conjugijs factis in Bethlem abolendis.* ——— Anno 1555. Sess. 3. The Clergy grant a Subsidy; & *illuc exposuit Clerus tres*

3. For the
Abolition or
Suspension
of Laws.

Petitiones; primum, quòd omnes Beneficati qui spe Remissionis primorum fructuum ex communi rumore Sacerdotia assecuti sunt, non obligentur rependere duplos, &c. 2do, ut possint Diplomata Apostolica pro Sacerdotiis retinend. assequi: postremo, quòd Statutum tollatur pro Decimis solvendis, &c. Et quòd Decimarum Causa emergentes coram Ordinatio examinentur Et decidentur.

4. About Festivals.

4. For the appointment of new Festivals, or improving the Services of the old. ———

— Anno 1434. Oct. 9. Dominus (ex consensu Confratrum suorum, Et ad Petitionem Cleri) ordain'd that St. Frideswide's Day, cum novem lectionibus Et aliis quæ ad hujusmodi Festum cum Regimine Chori secundum usum Sarum pertineant, per totam Provinciam suam perpetuò celebraretur.

— Anno 1444. Oct. 24. Magister Willelmus Byconil Offic. Curie Cant. totius Cleri Prælocutor, Supplicabat Domino ex parte Cleri, ut dies Translationis S. Edwardi, &c. sub duplici Festo per suam Provinciam solempnizari posset, de Confratrum suorum consensu, concedere dignaretur.

5. For the Archbishops intercession with the King.

5. For the Archbishop's Intercession with the King, to restrain the Lay Officers from oppressing the Church; or to pray their assistance in the Enforcement of Ecclesiastical Laws — Anno 1394. Supplicatio Cleri, directed to the Archbishop of Canterbury and the Archbishop of York, Chancellour of England, that, for the Suppression of Lollardy, they will intercede with the King, ut dignetur extendere cum effectu brachium sue Majestatis. — Anno 1463. Jul. 18. Petitionem fuit per Magistrum Johannem Stocks Prolocutorem, à Domino, ut ipse Regie Majestati scriberet pro liberatione certarum Personarum Ecclesiasticarum in Custodià laicali incarceratarum Et custoditarum; ut secundum Cartam alias per

per Regem viris Ecclesiasticis concessam, suis Ordinariis possint liberari. — Anno 1480. Apr. 3.

A *Petition* presented by the Prolocutor to the Archbishop and Bishops, praying them, in the name of the Clergy, to intercede with the King for Protection to the Church, against the encroachments of Lay-Officers, molesting and imprisoning the Clergy.

6. For more strict *Execution* of Ecclesiastical Discipline: As, *Anno 1586. March 15.* (Extracts out of the Upper House Book) 'The Lower House beseech the Bishops to be careful of *Ordinations*, to restrain their Officers from *Excessive Fees*; and that they will force every Instituted Person within a certain time to take *Induction*, or else sequester the Profits?

6. For the Execution of Discipline.

7. In the Year 1555. I find at the end of the Journal, an Abstract of the *Petitions* offer'd by the Inferiour Clergy to the Upper House.

7. Petitions of several kinds.

" Item, *Supplication* of the Lower House to the Bishops, concerning *Spiritual Lands* in Temporal Mens hands. — Item, for *Schools* and *Hospitals* promised in the Statute of Suppression of Colleges. — Item, for *Mortmain*, *Tythes*, *Appropriations*; of *Preachers*, of *Books*, of *Statutes* and *Jurisdiction*, against Hereticks, of *Pluralities*, of *Seminaries*, of *Liberties* of the Church in *Magna Charta*, of *Præmunire*, of the Statute of *Submission of the Clergy*, of finding great *Horses*, of *Usurers*, of *Violence* against any of the Clergy, of *Clarks Apparel*, of *Priests Married*; of *School-Masters*, of exempt Jurisdiction and *Peculiar Places* in Lay-Mens hands, of the *Cognition of Causes* of *Tythes* before the Mayor of *London*; that Places exempted, may be allotted to certain Priests. — of *Chancels* decay'd, of *Priests Married*

" to be reconciled, of Payment for *Tythes*, of
 " *Religious Women* Married to be Divorc'd;
 " that in Divorces innocent Women may enjoy
 " the Lands and Goods which were theirs *before*
 " the Marriage.
 " That *Wardens of Churches* may make their
 " Accompts; that Ecclesiastical Persons which
 " spoiled Churches, and plucked down certain
 " Edifices, may be compelled to restitution, and
 " to Build them again.

Petitions
 of the
 Clergy pre-
 sented im-
 mediately
 to the Up-
 per House.

All *Petitions* of this nature were delivered to the Archbishop and Bishops, and rested with them; as those others to the King or Parliament, were put into the hands of the Archbishop, singly or jointly with his Suffragans; that after *Approbation*, they might by their Lordships be convey'd and solicited according to the Intent and Tenor thereof. Nor do I remember to have met with any *Petition* in the Registers, delivered *separately*, or *immediately* by the Clergy themselves, except that one in 1588. *Seff.* 10. to the House of Lords. The Commons had sent up a Bill for a provision of *Arms, &c.* by the Clergy; it was therefore the single and *immediate* concern of the Lower House to prevent it; in order to which, they Address'd the Lords in Parliament, as in a matter of Property; and among the rest, the *Petition* was directed to the Archbishop and Bishops. Upon which Accounts, it cannot be extended to other Cases of an Ecclesiastical Nature, in all which the Bishops and their Clergy must be jointly concern'd.

The time
 of present-
 ing such
 Petitions.

The *time* of the Clergy's presenting their Petitions to the Upper House, whether *Viva voce* or *in Scriptis*, was usually upon Delivery of their Grant, and at the end of Convocation. Not any

any but they had the same *Right* to offer them any other time, tho' no Supplies were given; but *that* being the most desirable opportunity of conveying their *Grievances* to the King, became thereupon the *ordinary* time of bringing in their *Petitions* of all other kinds.

C H A P. XIV.

The Part which the Clergy have had in Judicial Cases.

THE *ordinary* way of Trying and Convicting *Hereticks* and Offenders against the *Canons*, was in the *Ecclesiastical Courts* of every *Diocese*; where they proceeded according to the stated Rules of such Courts, and the severe *Canons* and *Statutes* then in force. But if the Bishop, upon Examination, did not see cause to deliver over the Party accus'd to the Secular Power, either the *Degree* or *Evidence* of the Crime falling short; the *Suspicion* was however reckon'd a sufficient Cause of Imprisonment: That if he had not abjur'd in Form, he might by that means be compell'd to it; or if he had, that he might not be trusted abroad till he had given sufficient Proofs of the Sincerity of his *Recantation*. In Cases of this kind, the Person was frequently brought before the next Convocation; especially such as had relaps'd after an *Abjuration* of their *Errors*, according to the Language and corrupt Opinions of those Times. The whole Process in the Interior Courts, was return'd into the Arch-bishop's, to be deposited there against the next Convocation; and when
that

that came, the Person was *produc'd*, and a Relation of the former Prosecutions publicly given, either by the Arch-bishop or the Dio-cesan.

Constituti-
on for
bringing
Hereticks
before the
Convocati-
on.

This was the *ordinary* Practice, long before that Establishment of it by a *Constitution* under Arch-bishop Chichele, Anno 1416. part of which I will here transcribe, because it shews the *manner* and *end* of bringing Persons (examin'd already in the Bishops Courts) before the whole Body of the Clergy in Convocation. After a general Direction to the *several Bishops, Archdeacons, &c.* to be diligent in the Discovery and Prosecution of *Hereticks*: *Et si quas personas convictas forsan Curie Seculari non relinquunt, ipsos ad carceres perpetuos sive temporales, prout rei qualitas exegerit, ad minus usque ad prox. Prælatorum & Cleri Cantuariensis Provincia Convocationem duratur. realiter committant, & in eisdem secundum Juris exigentiam servari faciant, ac de omnibus & singulis supradictis, quomodo, viz. inquisierunt, reperierunt, ac in Processibus se habuerunt personas hujusmodi convictas, diligentiaque aut negligentijs Archidiaconorum sive Commissariorum prædictorum, alijsque omnibus & singulis circumstantijs præmissis quomodolibet concernen. ac præsertim de Abjurationibus, si quos interim hæses abjurare contingat, in prox. Prælatorum & Cleri Convocatione sub forma publica distincte & aperte Nos & Successores nostros certificare curent, & eosdem Processus Officiali Curie nostræ Cant. effectualiter liberent, penes eundem seu in Registrario Curie nostræ Cant. remansur. sic videlicet quod quemlibet cujus interest pro executione ulteriori eorundem Processuum, ad eundem Officiale recur. habere poterit cum effectu.*

Such

Such was the Method of those Times; but that which I am chiefly to consider, is, the *Judicature* in Convocation; and this was usually the *Arch-bishop, Bishops* and *Clergy* in a Body; before whom the Party accus'd is generally said to be brought: *Coram Reverendissimo, Confratribus suis, & Clero, in Concilio congregatis, adductus fuit*, or words to the same effect, is the ordinary Language of the Registers in those Cases: And the Sentence, running in the name of the Arch-bishop, is pass'd, *auctoritate, de consilio & assensu, &c. Prælatorum & Cleri*: The Instances of both kinds are too numerous to be particularly set down; nor can they be over-lookt by any one, who shall cast an Eye upon the Convocation-Acts of those times when such Prosecutions happen'd.

Hereticks brought before the Arch-bishop, Bishops and Clergy.

Sentence in all their Names.

'Tis true, they are sometimes said to be produc'd *Coram Domino & Confratribus*, without mention of the Clergy, or only *præsentia Cleri*; in which Cases the Arch-bishop and Bishops might probably act as a pure *Provincial Council*; for into such we know they sometimes resolv'd themselves, upon the Opportunity of coming together in Convocation. But in the ordinary Style of the Registers, the *Appearance* is made before them, and the Sentence ordinarily pronounc'd by their *Authority*, in Conjunction with that of the Bishops; and therefore in those Days, and upon those Occasions, they were ordinarily at least, a part of the *Judicature* in Convocation. As to any *Restraints* in this Matter, that may have been laid upon the Convocation by subsequent Statutes, I don't pretend to give a Judgment of them; but only assert the *Clergy's Rights* by ancient Usage, to a share in the *Judicature* with the

the Arch-bishop and Bishops; supposing Cases of that nature to come actually before them.

C H A P. XV.

*The Clergy's Right of a Negative or Final
Dissent from the Upper-House.*

The Original of the Clergy's Negative.

THE greatest Power enjoy'd by the *English* Clergy in a Provincial Synod, beyond the Presbyters of other Nations, is, a *Negative* upon the Metropolitan and Bishops, none of whose Resolutions, either in part or in whole, can be pass'd into Synodical-Acts without the previous Approbation of the Inferior Clergy. 'Tis very true (what we observ'd before) that it was a *Civil Account* which brought them by degrees into this Extraordinary Power in Ecclesiastical Affairs: Their Civil Property could not be dispos'd of, but by their own Consent; and this being the great Business of Convocation at the beginning, the *Negative* of the Clergy became an establish'd Rule there; and so that Rule took place in *Canons, Constitutions*, and other *Ecclesiastical Affairs*, when these also (which before had solely belong'd to a Synod of the Arch-bishop and Bishops) came to be consider'd and fram'd in Convocation.

A Negative or final Dissent, an establish'd Right of the *English* Clergy.

However, it is now an establish'd Right of the Lower-house, and a part of the Constitution of this National Church: Nor is it my Design to diminish it, by the Observation I am about to add, That tho' the Clergy's *Negative*, as to Subsidies, was directly founded in that common Right

Right of *English* Subjects, Not to be Tax'd but by their own Consent; yet, under that Right, the Clergy of those Days preserv'd such a Sense of *Duty* to their Ecclesiastical Superiors, that all their *Denials* were made with great Humility, and often accompany'd also with a *Request* to be excus'd for that time, and also with their particular *Reasons*, why they could not come up to the Desires of the Arch-bishop and his Brethren. For the granting of Subsidies was always *propos'd* by the President; upon which the Clergy were directed to retire, and Debate, and return their Answers to him and his Brethren. Generally they concurr'd with great Readiness; and when they dissented, they usually shew'd the *Causes* thereof with the utmost Humility.

All *Denials* of the Clergy made with great Humility.

Anno 1356. 12 Kal. Jun. They excus'd themselves in a *formal Address* to the Arch-bishop and Bishops: *Vobis Reverendis in Christo Patribus Dominis Dei gratia Archiepiscopo Cant. vestrisque Suffraganeis ad celebrandum Concilium Provinc. juxta sacrorum instituta Canonum congregatis, supplicat humiliter & devotè Clerus Cant. Provincia, quatenus pio sibi compatiens affectu, Rationes suas & Motiva infra Scripta clementer auscultare dignemini, & eis in examine circumspiciendis discretionis vestrae diligentius ponderatis, Petitiones ejusdem Cleri admittere gratiose.* [they offer several Reasons; and then conclude thus:] *Placeat benignitati vestrae absque ulteriori onere hac vice Ecclesiae imponendo, ipsum Clerum, qui dicto Domino Regi semper devotus existit & ipsum nunc in quantum potuit, ne deterioris conditionis existat quàm Communitas Laicorum, habere se libeat Excusatum, & praemissa pro plenâ & finali responsione Cleri admittere, ipsi quoque Clero assistere, & ipsum er-*

ga Dominum nostrum Regem in hac parte excusare.

Anno 1424. Oct. 23. The Clergy being call'd upon for their Resolution, as to the Subsidy, gave in their Answer by W. Lyndewood, the Arch-bishop's Official, *negatively*; pleading the Poverty of the Clergy, and that the Livings were reduc'd to a smaller value than formerly; & *idè humiliter petierant, se à concessione hujusmodi quacunque excusari.*

Anno eod. (After a Prorogation) Febr. 17. They excuse themselves again upon the poverty of the Clergy; *quam ob rem iidem Procuratores Domino & Confratribus suis humiliter supplicarunt; quatenus ipsi Dominus & Confratres sui Clerum prædictum à quacunque concessione hujusmodi protunc faciend. ex causis præallegatis dignarentur habere pro illà vice penitus excusatum.*

Anno 1425. May 4. Among the Causes of the Convocation, explain'd by the Archbishop; the third, was a Subsidy: The Clergy retire, and in answer to that point, *Supplicant, &c. ut consideratis oneribus & Subsidiis quæ antè hac sæpe Supportarunt, haberent ipsum Clerum protunc omninò excusatum propter insufficientiam ejusdem & paupertatem ex argumentis diversis luculenter approbatam.*

And again, the same Year, Jun. 8. Clerus *insufficientiam suam allegans & paupertatem, se de hujusmodi Subventionem concedendâ eà vice pro viribus instanter excusavit; & se protunc excusari petiit & humiliter Supplicavit.*

Dec. 11. 1433. Clerus *allegavit certas causas rationabiles, quibus consideratis, deberent meritò à concessione Subsidii eo tempore excusari.*

Anno 1438. Oct. ——— The Clergy, urging among other things the great Dearth all over the Kingdom,

Kingdom, *per suum Prolocutorem Domino supplicarunt quatenus eos ab aliquo Subsidio protunc concedendo haberet favorabiliter excusatos.* And the like answer they return'd the Saturday following, upon a Second Application made to them.

These Instances, as I said before, are not intended either to weaken the Clergy's Right of a Negative, or to Suggest in particular, that they who were immediately concern'd in those Cases, had not a legal Power of dissenting without either Reasons or Excuses: But by how much the greater liberty they were at, to dissent without these; the Applications of this nature are so much the higher testimony of their Duty and Humility: They knew very well, that their Civil Property was by Law entirely in their own disposal; but yet they could not forget that their immediate concern was with their Ecclesiastical Superiors.

Upon their Refusals in this dutiful Manner, they were sometimes mov'd to consider of a more favourable Answer; and however stedfast their Resolutions were not to comply, yet they did not refuse further Deliberation, which (when enjoy'd by their Metropolitan and Bishops) they knew to be a part of their Canonical Obedience. Nor could I ever find an Instance in all the Acts of Convocation, that did in the least countenance the late Notion of their general Negative upon the Upper House, as pleaded in express terms to excuse their Refusal of a Committee: *We of the Lower House being a distinct House, and having power to dissent from the Proposals of the Upper House, conceive our selves entirely at liberty to admit or decline their Appointments of Committees; as we shall think fit.* Before they made so large a Step towards an entire

These Applications, no prejudice to the Clergy's Right of a Negative.

Nar. p. 61.

entire *Independence*, as a *Negative* in that extent would draw after it, methinks it might have been consider'd whether one Instance was to be met with (either *before* or *since* their Separation) from which they could fairly gather that the Lower Clergy had ever disobey'd the Upper House in the matter or method of their *Deliberations*, or ever attempted to carry their Right of a *Negative* beyond a power to hinder any business in Convocation from passing finally into a *Synodical Act*. This is their undoubted Right; but their further pretensions are as *groundless* in themselves, as they would be *mischievous* in their Effects, to the Constitution of our *Episcopal Church*:

C H A P. XVI.

The manner of Passing Business in Convocation.

AFTER any matter in Convocation has been duly consider'd, read, and agreed to by the Bishops and Clergy *severally*; the Prolocutor and the Inferior Clergy are sent for to the Upper House, and there it is *passed* into a *Synodical Act*.

The manner of *consenting* and *agreeing* in the Lower House, is particularly express'd in the 10th Session of 1586. where the Prolocutor coming from the Upper House, puts the Ordinances for Collecting the *Contribution*, into the hands of the Actuary: He reads it; *quo facto, Dominus Prolocutor interrogavit omnes supra nominatos, an Decreta & Ordinationes hujusmodi sibi placerent,*

The manner of *Consenting* in the Lower House.

placerent, eosque rogavit quatenus eorum consensum & assensum eisdem, si eis ita videretur, præberent. Et tunc omnes easdem Ordinationes in omnibus approbarunt, atque consensum & assensum suos, tam nominibus eorum propriis quàm nominibus omnium aliorum quorum Procuratores in hac parte respectivè existunt, præbuerunt.

I know not whether the Lower House (who return the Instrument by the Prolocutor) did ever think themselves accountable to their Lordships for any Circumstances relating to their Consent, besides a general assurance by the Prolocutor that it is actually given. But I find, in the Year 1532. May 15. a Report was also made of the number and proportion of Votes. *Intravit Prolocutor cum Clero, ubi Reverendissimus interrogabat, quid ipse sentiebat de quâdam Schedulâ sibi traditâ. Unde Prolocutor introduxit numerum affirmantium, numerum negantium & numerum Referentium, quantum ad tres Articulos prædictos. Again, in 1536. Sess. Ult. Prolocutor intravit Domum Capitularem, & præsentavit Reverendissimo Instrumentum continen. Sententiam Definitivam, quam dictus Prolocutor asseruit fuisse per omnes Cleri Domûs Inferioris expresse approbatam. — Some Years before, Anno 1529. Sess. 29. when in the preceding Session the Clergy were directed to bring in their Opinions the Friday following about an Answer to a Petition presented by the House of Commons to the King; on the same Friday, the Answer was read in the Upper House: Et post introitum Prolocutoris rursus perfecta fuerunt responsa: tunc Reverendissimus interrogavit an ipsi consentirent, & consentire.* But

The Circumstances of that Consent have been reported to the Upper House.

The manner of Passing

in 1533. not only a general *Consent* was given in the Upper House, but the *Votes* also in form, and the *Names* were particularly enter'd in the Register thereof: So says the Abstract, *Sess. 2. Quo die Reverendissimus convocavit Inferiorem Domum, ut audiret eorum Opinionones de Quaestione, viz. an ducere liceret uxorem cognitam à Fratre, &c. ubi* (referring to the Original Book of the Upper House) *exprimuntur Affirmantes, Negantes, & Dubitantes.*

All Instruments read publicly, and finally agreed to in the Upper House.

But however the *Consent* of the Clergy be given or signifi'd; 'tis certain, that the Instrument after being engross'd, was always read publicly in the Upper House, before the Archbishop, Bishops and Clergy; and by them finally agreed to, either *vis à voce* or by *Subscription*, according to the *Nature* of the business they pass'd. The light we have from the Registers, concerning the circumstances of *passing* business, is but small; but this distinction (I think) is visible enough, since the Reformation at least, That *Articles, Canons, and Constitutions* have been ever pass'd by *Subscription*; but Instruments of other kinds, (*Bills of Subsidy, Synodical Letters, &c.*) have been enacted, with the *consent* of the Bishops and Clergy, by the Hand or Seal of the Archbishop (which was properly the *Sanction*) and the Attestation of one or more Publick Notaries, of its being so Sign'd or Seal'd, or both. To which purpose,

The Sanction of the Metropolitan.

As to the *Sanction* of the Metropolitan; Anno 1408. Jan 15. we find this account of *Passing* the Powers granted by Convocation, to those whom they had just before *Elected* for the Council of Pisa. *In quorum omnium & singulorum*

rum fidem & testimonium, presentes literas aut præsens publicum Instrumentum exinde fieri, ac per Magistrum Johannem Perch, Notarium & Registrarium infra scriptum subscribi & publicari, ejusque Signi consueti appositione: Ac nos Thomas Archiepiscopus, Primas & Legatus antedictus, nostri privati sigilli aurci, ad personales & speciales rogatus omnium dictorum Episcoporum Suffraganeorum nostrorum, ac de expressis consensu & assensu totius Cleri dictæ Provinciæ, appensione, mandavimus & fecimus fideliter communi.

Anno 1557. Sess. 9. The Archbishop's Commissary Evocavit Prolocutorem & Clerum, ut *Librum Concessionis Subsidii aliquâ ex parte correctum perlegi audirent; quo perlecto & diligenter ponderato, omnes tam Patres quàm Clerus contenti erant cum omnibus Clausulis, Conditionibus, & Provisionibus. — Tenor verò Instrumenti publici, de Subsidio prædicto confecti, de verbo in verbum illic sequitur, contestatum Subscriptione Thomæ Suffex & Johannis Incent.*

Anno 1562. Febr. 24. Surrogatum Prolocutoris (Prolocutore absente) & Clerum Domûs Inferioris ad se accersiri jusserunt, ac coram eis publice legi fecerunt *Librum de Subsidio Dominae nostræ Reginae concesso in pergameno conscript. ac Sigillo dicti Reverendissimi Patris Sigillat. Cui quidem Libro sic perlecto, ac omnibus & singulis Concessionibus, conditionibus, & provisionibus in eodem mentionatis, sub modo & forma supra Specificatis, Dictus Clerus Inferioris Domûs consensum & assensum suos unanimiter adhibuerunt.*

Articles,
Canons,
&c. by
Subscripti-
on.

2. *Articles, Canons, and Constitutions*, since the Reformation, have (so far as the Registers give any light) been ever pass'd in the *Upper House* by the joint *Subscriptions* of Archbishop, Bishops, and Clergy.

Anno 1536. Sess. 5. Jul. 11. Episcopus Hereford. produxit quendam Libellum continentem Articulos Fidei & Ceremoniarum. Qui libellus inseritur ad longum. Quo lecto per eundem Episcopum, Honorandus Thomas Cromewell, Reverendissimus, & alii Prælati, Prolocutor, & Clerus Domus Inferioris, eundem Libellum approbando Subscripserunt.

Anno 1604. May 18. The Extracts out of the Upper House Journals say, 'The King's Letters with the Articles of 1562. to be by the Convocation approv'd and allow'd — — — The said Articles read, and Subscrib'd by both Houses; and the Book so Subscrib'd, was kept by the Bishop of London, President.

Anno 1640. Reverendissimus in presentiiis Domini Prolocutoris & totius Cætus Domus Inferioris, pretulit Librum Canonum in hac Sacra Synodo tractat. continen. 17. Capitula Canonum. Quem Reverendissimus in manibus suis tenens cum Domino Prolocutore, alta & intelligibili voce legebat. Quo perlecto, Reverendissimus & Reverendi Patres, &c. ac Dominus Prolocutor & totus Cætus Domus Inferioris antedictæ isto die comparen. nominibus suis & aliorum pro quibus constituti sunt, consensum & assensum suos eisdem Canonibus præstiterunt, & eorum nomina manibus suis propriis eisdem respectivè Subscripserunt.

Anno 1661 Dec. 19. Dominus Episcopus London. Præsidens, cum Confratribus suis præd. pro tribunali

tribunali sedebant, & habito tractatu inter eos de Forma Subscriptionis Libro Publicarum Precum per eos faciend. tandem idem Reverendus Pater Dominus Episcopus & Præfident ante dictus, de & cum consensu Confratrum suorum præd. commisit curam & considerationem concipiendi dictam Formam Reverendis in Christo Patribus, &c. Postea, nempe inter horas secundam & quartam post meridiem ejusdem diei, Reverendi Viri Dominus Johannes Dunelmen. & Humfridus Sarum respectivè Episcopi unà cum dictis respectivè Cancellar & Vicariis in Spiritualibus generalibus præd. apud Officium Registrarii Principalis D. Arch. Cant. intra Parochiam S. Gregorii London. sit. convenerunt, & in presentis mei Willelmi Fisher & Francisci Mundy Notariorum respectivè publicorum, inspectis prius nonnullis Recordis & Libris antiquis & Archivis ibidem remanen. & fideliter custodit. dicti Reverendi patres formam Subscriptionis Libro publicarum Precum faciend. unanimi consensu & assensu conceperunt & de super concordârunt.

— Anno eod. Dec. 20. Reverendus Pater Dominus Episcopus London, [Præfident] &c. una cum Confratribus suis secum assiden. pro Tribunali sedebat, & Librum Precum Publicarum, Administrationis Sacramentorum, aliorumque Rituum Ecclesiæ Anglicanæ, unà cum Forma & Modo Ordinand. & Consecrand. Episcopos, Presbyteros, Diaconos, juxta literas Regiæ Majestatis eis in hac parte directas revisum, &

paginas continen. & per Reverendissimum in Christo Patrem & Dominum Dominum Gulielmum Providentiâ Divinâ Cant. Archiepiscopum totius Angliæ Primatem & Metropolitanum pri-

us redact. recept. approbat. & subscript. Episcopi ejusdem Provincia in hac Provinciali Synodo legitime congregat. unanimi assensu & consensu in formam redegerunt, receperunt & approbarunt, eisdemque subscripserunt: Et postea omnes Episcopi praed. tunc praesen. & congregat. exceptis Reverendis Patribus Oxon, Assaphen & Landaven. Ep. ad Domum Parliamenti sese contulerunt, & dictos respectivè Episcopos in dicta Domo Convocationis reliquer. ad vidend. Clerum Inferioris Domus Convocationis dicto Libro subscribere.

Thus the several sorts of Business in Convocation, however differently pass'd in some respects, agree in this, That the Inferior Clergy are sent for to the Upper-House, and there the whole Convocation (the Metropolitan, Bishops, and Presbyters, in a Body) give their *final Consent*.

Why Articles, Canons, &c. pass now by Subscription.

The Method of Passing *Canons and Constitutions* before the Statute (25. H. 8. c. 19.) was the same that has ever been practis'd in *Synodical Meetings*, viz. by the *Authority* of the Synod, and with the *Sanction* of the Metropolitan; and these two gave them their full *Force* and *Effect*. But now they are fram'd in order to be laid before the Prince, as *agreed on* by the Arch-bishop, Bishops, and Clergy; and none to be of any *Force, Effect, or Validity in Law, but only such and so many of them, as he, by his Letters Patents under the Great Seal of England, shall allow, approve, and confirm*. This is the Language of the *Royal Licence*, the *Necessity* whereof, in order to *make, promulge, and execute Canons, &c.* is an *Abridgment* of the Ecclesiastical Power in these Respects; and therefore the ancient *Sanction* (which always signify'd a *final*

final Authority) could not be continu'd in any Matters, which were not to be *promulg'd* or *executed* without the Allowance, Approbation and Confirmation of the King by his Letters Patents under the Great Seal of *England*. But all *Synodical-Acts*, to which the Royal Licence is not necessary, receive their *final* Authority from the *Sanction* of the Metropolitan; *i. e.* they still pass in the ancient Canonical way; whatever some late Writers, too much bent upon the *Diminution* of Ecclesiastical Power, may suggest to the contrary.

C H A P. XVII.

Of Proroguing and Dissolving a Convocation.

AS the Arch-bishop, upon receiving the Royal Writ for *Calling* a Convocation, is bound by Law, and agreeably to the Deference that has been ever paid to Christian Princes, to *exert* his *Summoning Authority*; so is he under the same Obligation to proceed to *Prorogations* and *Dissolutions* thereof, in a Canonical way, when the Pleasure of the Prince shall be signify'd by Royal Writs to those Purposes.

For how little Truth there is in the late Notion, That the Arch-bishop, in those Cases, acts purely

The man-
ner of the
A. bishop's
Proroguing
and Dissol-
ving Au-
thoritative

purely in a *Ministerial* way, may appear by a Comparison of the Methods of Executing those Commands in Parliament and Convocation. For the the first (the Prorogation of a *Parliament*) the King, by his Letters Patents, constitutes such of the Nobility as he thinks fit, his *Commissioners* for that end, *Dantes vobis, tēnore presentium, plenam potestatem, facultatem & auctoritatem, &c. ad præsens Parliamentum nostrum nomine nostro prorogand. &c.* In the same Stile is the *Commission* for Dissolving, as oft as his Majesty is not present in Person: A Stile that is truly and evidently *Ministerial*.

But the Writs for doing the same things in Convocation, can be *directed* to none but the *Metropolitan* himself, and that without any Conveyance of *Authority*, or Order to act in his Majesty's *Name*, or any other Direction besides the *Proroguing* or *Dissolving* it according to the accusom'd Methods of Convocation: *Debito modo prorogetis*; and *Dissolvētis seu dissolvi faciatis*. In pursuance of which Order, the Archbishop *Prorogues* and *Dissolves*, either in Person, or by one or more Commissioners, specially constituted by his Grace for those Purposes.

The Arch-
bishop's
Admoniti-
ons imme-
diately be-
fore a Pro-
rogation or
Dissolution.

Immediately before a Prorogation or Dissolution, we find the Arch-bishop (as he saw occasion) publicly recommending to the Bishops and Clergy the due Execution of the Ecclesiastical Laws, and the Reformation of any particular *Abuses* and *Irregularities* in the Church.

Anno 1428. *Uteriusque rogavit, hortatus est, & requisivit Reverendissimus Pater & Dominus*

minus prædictus præfatos Confratres suos, ut in inquisitione fienda contra Lollardos & Hæreticos hujusmodi diligentiam interim omnimodam quam poterant adhiberent, & cū n̄ reverterent, quid contra eos fecerint, ipsum plenius certificarent; & specialiter de illis quorum nomina sibi detecta dictis Confratribus suis prout unumquemque in Dioc. suā concernebant in Cedulis divisim conscripta circa tres Dies antea tradidit & liberavit.

Anno 1601. Sess. 18. The Extracts out of the Upper-house Books have this Note immediately before the Dissolution: *Arch-bishop exhorts the Bishops to be diligent in their Charge, and careful to observe the Canons in the last Convocation.*

Anno 1586. The Lower-house Book, immediately before the Dissolution: *Reverendissimus Pater Dominus Cant. querelatus est de præcā & immoderatā luxuriā ac minus verecundo gestu ac morum intemperie nonnullorum Clericorum Provinciæ Cant. ad fora & loca publica concurrentium. Quare monuit Decanos, Archidiaconos, & alios jam præsentem, ad quos Correctio delinquentium hujusmodi pertinet, ad severè procedend. & puniend. obnoxios & culpabiles, & si incorrigibiles perseveraverint, ad impiorand. auxilium & opem Episcopi Diocesani, vel ipsius Reverendissimi Patris, vel etiam ipsius Serenissimæ Domine nostræ Regine, ne actionum & morum pravitas istorum obnubilet & obscuret Doctrinam Evangelii quod verbis profitentur, quo pluribus perniciosum fiet pessimum eorum exemplum.*

On the Day of Prorogation or Dissolution, the Royal Writ is produc'd, and publickly read: The Writs of Prorogation and But Dissolution

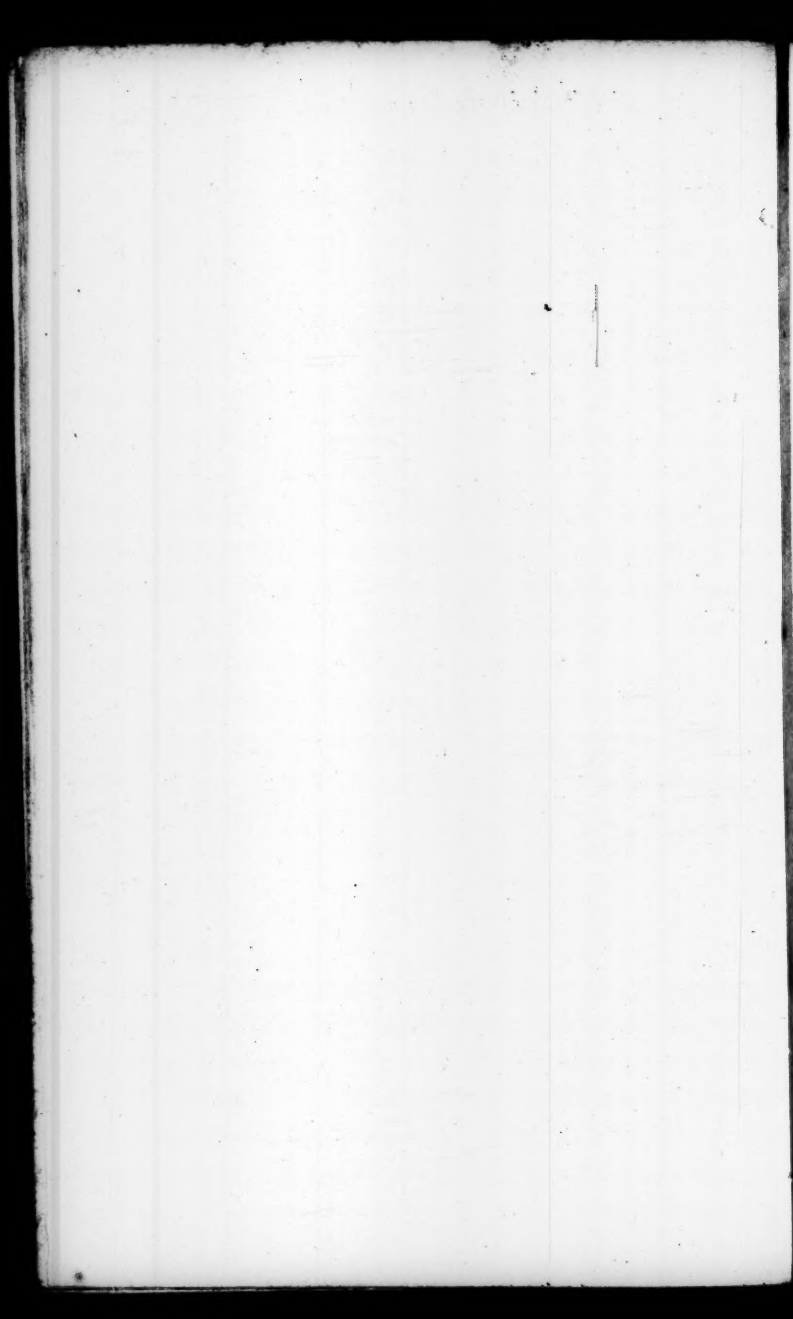
But that being only a Direction to the Arch-bishop, to *Prorogue* or *Dissolve*; neither of these are effected by that *Publication* of the Writ. On the contrary, the very first Writ of *Prorogation* we meet with (*Anno 1532. May 15.*) was read in the Morning, (*Reverendissimus ostendebat quoddam Breve Regium sibi directum pro Prorogatione hujusmodi Convocationis: Quod Breve idem Reverendissimus publicè legebat;*) and yet the Convocation sat till Noon; and after Dinner, met again. — So also, *Anno 1434. March 31.* The Writ of *Prorogation* was brought in, and *read*; and afterwards the Resolutions of the Lower-Clergy, touching the Pope's Supremacy, were delivered; and then the Arch-bishop is said to *Continue* to the Day specify'd in the Writ.

For so is the Practice of Convocation: The Pleasure of the Prince is signify'd to the Arch-bishop by the Writ; but his Grace pursues that Royal Order by a formal Declaration out of a Schedule, mentioning indeed the Royal Writ, but running solely in the Arch-bishop's Name, and by him pronounc'd in presence of the Bishops and Clergy.

The Authors therefore of some late Schemes have done a manifest Injustice to the Constitution of our *Protestant Church*, in contending, against Law and Practice, that the Reformation put an end to the ancient *Canonical Ways* of transacting Ecclesiastical Matters, and introduc'd a new Model, inconsistent with the Primitive Distinctions between *Presbyters* and *Bishops*, and unknown before, either to this or any other Episcopal Church.

The foregoing Chapters, I hope, may vindicate our *Reformation* from the late Aspersions of that kind; as well as the *Ecclesiastical Government* thereof, from any such *Repugnancy* to the Primitive Rules; and may withal make it more easily understood, whether they who have carry'd on those new Measures, or they who have oppos'd them, are the truer Friends to the Rights, Liberties and Honour of our Re-form'd Church,

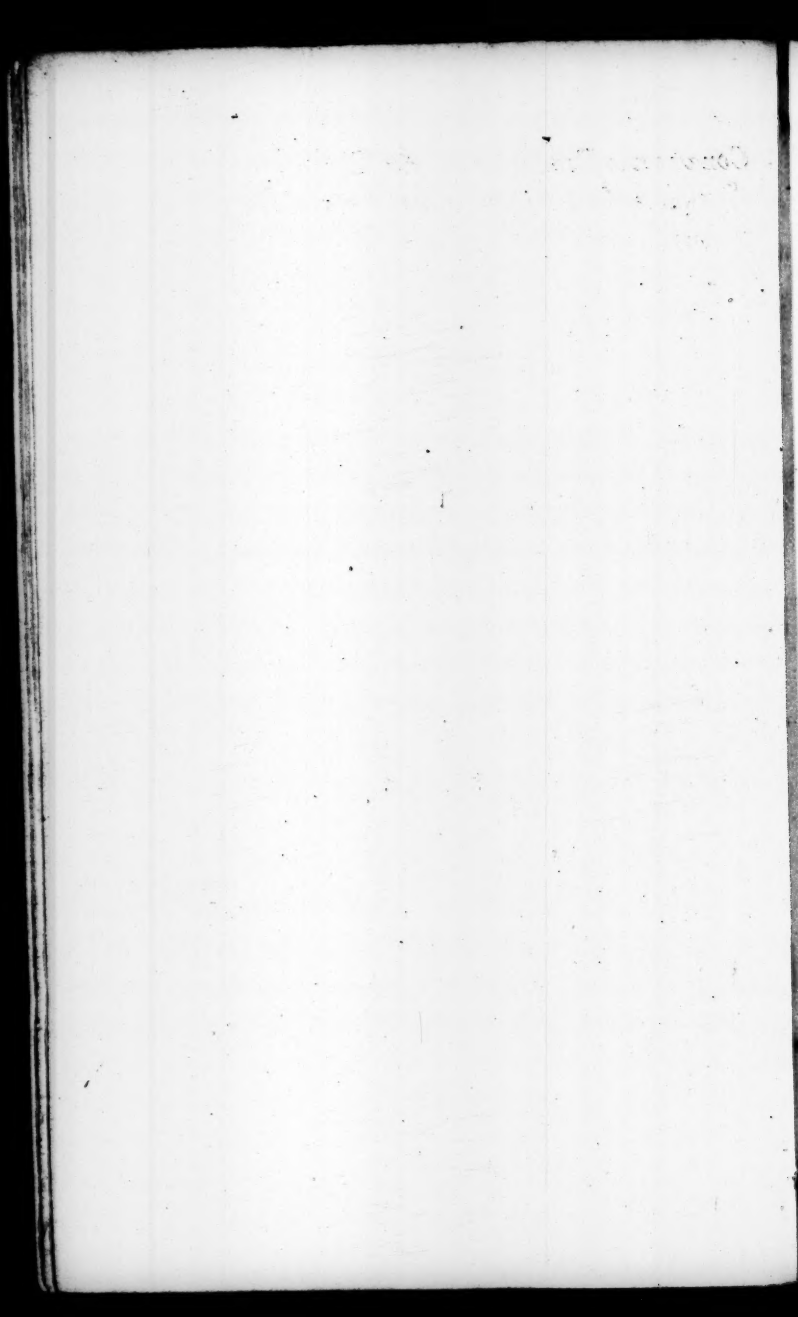
F I N I S.



APPENDIX,

Continens

- I. Acta in *Superiore* Domo Convocationis in-
cept. Anno MDLXII. in conficiendo XXXIX
Articulos Religionis; Præsides Reverendissimo
Patre *Matthæo Parker*, Archiep. Cant. Sub
jungitur *Forma* five *descriptio Convocatio-*
nis.
- II. Acta in *Superiore* Domo Convocationis in-
cept. Apr. 14. MDCXL. in *Canonibus* con-
ficiendis; Præsides Reverendissimo Patre *Guli-*
elmo Laud, Archiep. Cant.
- III. Acta in *Superiore* Domo Convocationis in-
cept. Ann. MDCLXI. in *Revisione Libri*
Precum Publicarum; Præsides Reverendo Patre
Gilberto Sheldon Ep. London, Vice Reveren-
dissimi Patris *Gulielmi Fuxon* Archiep.
Cant.
- IV. Acta in *Inferiore* Domo Convocationum ce-
lebrat. Ann. MDLXXXVI. & MDLXXXVIII.
Præsides Reverendissimo Patre *Johanne Whit-*
gift, Archiep. Cant.



Convocatio Prælatorum & Cleri Cantuariensis Provinciæ, inchoata in Domino Capitulari Ecclesiæ Divi Pauli London, authoritate Brevis Regij Reverendissimo in Christo Patri & Domino, Domino Matthæo, permissione divinâ Cantuariensi Archiepiscopo, totius Angliæ Primati & Metropolitano in hac parte directi, duodecimo die Mensis Januarij, Anno Domini juxta computationem Ecclesiæ Anglicanæ Millesimo, Quingentesimo, Sexagesimo Secundo, Regniq; felicissimæ, illustrissimæq; in Christo Principis & Domine nostræ Domine Elizabeth, Dei gratia Angliæ, Franciæ & Hiberniæ Reginæ, Fidei Defensoris, &c. Anno quinto: Et Consecrationis ipsius Reverendissimi Patris Anno quarto.

UNdecimo die Mensis Januarij, Anno Domini juxta computationem Ecclesiæ Anglicanæ Millesimo Quingentesimo Sexagesimo Secundo, in quodam alto Deambulatorio infra Mancrum Reverendissimi in Christo Patris Domini Matthæi,

P

thæi, permissione Divinâ Cantuariensis Archiepiscopi, totius Angliæ Primatis & Metropolitanæ apud Lambeth, in præsentia mei Johannis Incent Notarij Publici, dicti Reverendissimi Patris Registrarij Primarij, constitutus personaliter præfatus Reverendissimus Pater commisit Vices suas Magistris Thomæ Yale, Vicario suo in Spiritualibus generali, Roberto Weston, *Almæ Curie Cantuariensis Officiali*, Henrico Jones & Valentino Dale dictæ Curie Cantuariensis Advocatis, Legum Doctoribus, conjunctim & divisim, ad interessendum Vice & nomine suis in Sacra Synodo sive Convocatione Prælatorum & Cleri Cantuariensis Provinciæ in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London, duodecimo die præsentis mensis Januarii, per ipsum Reverendissimum Patrem auctoritate Brevis Regii sibi in hac parte directi, inchoand', & celebrand'. dictamq; Convocationem sive sacram Synodum Provinciale, ac omnia & singula Certificatoria introducta & introducenda in statu quo nunc sunt, usq; ad & in diem Mercurii proxime futurum, viz. decimumtertiam diem præsentis mensis Januarii, horâ octavâ ante meridiem ejusdem diei, atq; ad Domum Capitularem prædictam, cum Ulteriori Prorogatione, dierum & horarum ex tunc sequentium & locorum (si oporteat) continuand'. & prorogand'. ceteraq; omnia & singula faciend'. exercend'. & expediend'. quæ in præmissis & circa ea necessaria fuerint seu quomodolibet requisita. Et promisit de rat. &c. præsentibus tunc & ibidem dictis Magistro Thoma Yale & Francisco Aldridge Generoso, Testibus, &c.

Sessio Prima.

DUodecimo die mensis Januarii, Anno Domini prædicto, hora nona ante meridiem ejusdem diei, in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli prædictæ in præsentia mei Johannis Incent Notarii Publici Registrarii antedicti, præfatus Venerabilis Vir Robertus Weston, Legum Doctor, Almæ Curiæ Cantuariensis Officialis, judicialiter & pro Tribunali sedens, ob reverentiam & honorem dicti Reverendissimi Patris Domini Matthæi Archiepiscopi Cantuariensis antedicti, Onus Commissionis ejusdem Reverendissimi Patris in se acceptavit, ac juxta vim formam & effectum ejusdem procedendum fore decrevit. Ac consequenter, autoritate sibi commissa, præsentem Convocationem sive Sacram Synodum Provincialem in Statu quo nunc est, usq; ad & in diem Mercurii proximè futurum, viz. decimumtertium diem præsentis mensis Januarii horâ octavâ ante meridiem ejusdem diei, atq; ad Domum Capitularem prædictam cum ulteriori prorogatione dierum & horarum ex tunc sequentium, & locorum (si oporteat) continuavit & prorogavit in Scriptis, prout in Schedulâ per eum lectâ plenius continetur, Cujus quidem Schemulæ tenor sequitur in hæc verba — In Dei Nomine, Amen. Nos Robertus Weston, &c. præsentibusq; tunc & ibidem Magistris Johanne Butler Clerico, Canonico Ecclesiæ Christi Cantuariensis, Thoma Bolte Canonico, Edmundo Weston in legibus Baccalaureo, & Thoma Willet Notario Publico, testibus, &c.

Secunda Sessio.

DI E Mercurij, viz. 13^o. die Mensis Januarij Anno Domini juxta computationem Ecclesie Anglicanae Millesimo Quingentesimo Sexagesimo Secundo, Reverendissimus in Christo Pater Dominus Matthæus, Archiepiscopus Cantuariensis, &c. manè circa horam octavam ante Meridiem dicti diei, Lambetha Solvens in Navicula sua vulgo nuncupata à Barge, ad ripam vocatam Paul's Wharfe, comitante eum Reverendo Patre Domino Nicholao Lincoln Episcopo, applicuit, ibiq; ab Advocatis & Procuratoribus & cæteris ministris Curie sue Cantuariensis acceptus, pedibus ambulans, deductus fuit ad foras Australes Ecclesie Cathedralis Divi Pauli London, ibiq; ad Ostium Australe ejusdem Decanus Canonici & ceteri Ministri ejusdem Ecclesie Superpellitiis induti cum præstolabantur, ac ad vestiarium ejusdem Ecclesie perduxerunt; ibiq; amictu & habitu suis vestitus, ac chorum ipsius Ecclesie (comitantibus eum Episcopis Suffraganeis Provinciae sue Cantuariensis similibus habitibus indutis) ingressus, in Stallo Decani collocatus fuit, ceteris Episcopis Suffraganeis Provinciae Cantuariensis habitibus suis in hujusmodi negotio Convocationis solitis, indutis, in Stallis Præbendariorum ex utraq; parte Chori sedentibus; ac consequenter decantata fuit per Ministros Ecclesie Letania, in Sermone vulgari, (juxta morem & ritum in Libro nuncupato, The Book of Common-Prayers, &c. descriptum.) Quà finitâ, ac Hymno Veni Creator, &c. per Ministros ejusdem Ecclesie in vulgari Solemniter decantato, Magister Wilhelmus DAVE,

Daye *Sacra Theologiae Baccalaureus*, *præpositus Collegij Regalis de Eaton*, habitu *Baccalaurei in Theologiâ indutus*, *Suggestum in medio Chori positum ingressus fuit*, ac *ibidem Concionem Latinam Stilo venusto*, ad *Patres & Clerum ac populum presentes habuit*, acceptis pro *thematè hiis Divi Petri verbis in quinto Capitulo primæ suæ Epistolæ descriptis*, viz. *Pascite quantum in vobis est, &c. Finitâ vero concione*; ac *Psalmo primo (Beatus Vir, &c.) in Sermone vulgari decantato*, celebrata fuit *Sacra Communio per Reverendum Patrem Dominum Edmundum Grindale Episcopum London*, dictusq; *Reverendissimus Dominus ac ceteri omnes Episcopi presentes Sacramentum Corporis & Sanguinis Domini communicabant. Finita vero Communione, Reverendissimus Dominus Archiepiscopus Cantuariensis Chorum egressus*, ac *Domum Capitularem ingressus*, comitantibus eum *Episcopis, & ceteris Cleri Prælati*, *ibidem pro Tribunali sedebat*, assidentibus secum undiq; *Episcopis Suffraganeis suis*, viz. *Domino Edmundo London*, *Roberto Winton*, *Wilhelmo Cicestren*, *Johanne Hereforden*, *Ricardo Elien*, *Edwino Wigorn*, *Rolando Bangor*, *Nicolao Lincoln*, *Johanne Sarum*, *Ricardo Meneven*, *Edmundo Roffen*, *Gilberto Bathon & Wellen*, *Thoma Coven & Lichen*, *Wilhelmo Exon*, *Johanne Norwicen*, *Edmundo Petriburgen*, *Thoma Asaphen*, & *Ricardo Glocestren*, ac *Commendatar. Bristolien*, *respectivè Episcopis. Cui quidem Reverendissimo sic pro Tribunali sedenti præfatus Reverendus Dominus London Episcopus exhibuit Certificatorium suum super Executione Mandati monitorij alias sibi directi, tenorem infra Scriptum continens*, Reverendissimo in Christo Patri, &c. Quo quidem Certifi-

catorio

catorio per Magistrum Thomam Yale Legum Doctorem, dicti Reverendissimi Patris Vicarium in Spiritualibus Generalem, de mandato ejusdem Reverendissimi, publicè perlecto, Magister Gabriel Goodman, Decanus Westminster eidem Reverendissimo Patri quandam Protestationem in Scriptis conceptam porrexit, ac eâ Protestatione salvâ, comparuit in hujusmodi Sacrâ Synodo sive Convocatione, & non aliter. Tenor vero dictæ Protestationis sequitur in hæc verba, Sub protestatione de non consentiendo in Authoritatem Reverendissimi Patris Cantuariensis Archiepiscopi quoad hanc Convocationem celebrandâ, nisi quatenus de Jure ac Statutis hujus Regni Angliæ & Privilegiis Ecclesiæ Collegiatæ sive Collegii nostri Westminster teneor, neq; de non infringendâ aut diminuendâ libertates & privilegia ejusdem nostri Collegij sive Ecclesiæ Collegiatæ. Quibus sic factis, Reverendissimus Dominus Archiepiscopus Cantuariensis brevem quandam Orationem eloquentiæ plenam habuit ad Patres & Clerum; per quam, inter alia, Opportunitatem Resformandarum rerum in Ecclesia Anglicana jam oblatam esse aperuit, ac propensos animos tam Illustrissimæ Dominiæ nostræ Regiæ, quàm aliorum Magnatum hujus Regni ad hujusmodi Reformationem habendam declaravit; hortando, præcipiendo & mandando Prælatos & Clerum Inferioris Domus in dicta Domo Capitulari, coram eo & reliquis Patribus constitutos, quatenus ad Conveniûs sui locum sese conferentes, unum Virum gravem, doctum & peritum de gremio suo provideant & eligant in eorum Prolocutorem sive Referendarium (commendans illis maximè Decanum Ecclesiæ Cathedralis Divi Pauli London Alexandrum Nowel,) ipsumq; sic electum exhibeant & præsentent

sentent coram eodem Reverendissimo aut ejus locum-tenente die Sabbati proximè futuro, hora primâ post Meridiem in hoc loco. Deinde dictus Reverendissimus Pater commisit vices suas prefato Magistro Thomæ Yale Cancellario suo, ac Magistro Wilhelmo Drurie Legum Doctori Commissario ad Facultates, ad recipiendum Certificatoria Episcoporum, ac ad inspiciendum Procuratoria quorumcunq; absentium, ac causas absentiarum suarum Examinand' & approband'. Ac præterea dictus Reverendissimus Pater pronuntiavit omnes & singulos Decanos, Archidiaconos, Capitula, ac Cleri Procuratores & ceteros quoscunq; ad interessendum in hujusmodi Sacra Synodo, sive Convocatione, monitos & citatos, ac per se aut Procuratores suos idoneos minimè comparentes, notoriè Contumaces; pœnas Contumaciarum suarum hujusmodi usq; in proximam Sessionem reservand'. prout in Schedulâ per eum lectâ plenius continetur, cujus quidem Scheda verus tenor sequitur in hac verba, In Dei Nomine, Amen, &c. Omnibus gestis, prefatus Reverendissimus Pater continuavit & prorogavit hujusmodi Convocationem sive Sacram Synodum, ac omnia & singula Certificatoria introducta & introducenda, in Statu quo nunc sunt, usq; in diem Sabbati proximè futurum hora prima post meridiem, ad Domum Capitularem prædictam; prout in Schedulâ per eum lectâ tenorem subscriptum de verbo in verbum in se complectente, dilucidius apparet, In Dei nomine, Amen, &c.

Yale.

Q.

Sessio

Sessio Tertia.

DIE Sabbati, viz. 16°. die mensis Januarii, Anno Domini prædicto, inter horam primam & secundam post meridiem ejusdem diei, Reverendissimus Dominus Matthæus Archiepiscopus Cantuariensis, ac Reverendi Patres Domini Edmundus London, Robertus Winton, Johannes Hereforden, Richardus Elien, Edwinus Wigorn, Rolandus Bangor, Nicholaus Lincoln, Johannes Sarum, Richardus Meneven, Edmundus Rossen, Gilbertus Bathon & Wellen, Thomas Coven. & Lichen, Wilhelmus Exon, Johannes Norwicen, Edmundus Petriburgen, Thomas Asaphen, & Ricardus Glocestren, respectivè Episcopi, in domo Capitulari Ecclesiæ Cathedralis Divi Pauli London congregati, primum & ante omnia preces Deo Optimo Maximo effundebant, dictâ publice ac alta & intelligibili voce per ipsum Reverendissimum Patrem Letania in Sermonе latino unâ cum Collectis assuetis ac Oratione Synodo Provinciali dicenda, noviter (ut apparuit) edita, respondentibus aliis Episcopis prædictis ac Prælati & Clero & populo astantibus. Finitis precibus, ac Clero prædicto ad locum Conventûs sui sese conferentes, præfatus Reverendissimus, unâ cum aliis confratribus suis Provinciae suae Cantuariensis Episcopis Suffraganeis prænominatis, pro Tribunali sedens, post intervallum temporis denuò ad eum accersiri jussit dictos Prælatos & Clerum Domûs inferioris; cui copiosè sese præsentantes exhiberi & sisti fecerunt Venerabilem Virum Magistrum Alexandrum Nowell, Ecclesiæ Cathedralis Divi Pauli London Decanum, in Prolocutorem sive Referen-

Referendarium Domûs Inferioris electum. Quem Eximii Viri Magistri Gabriel Goodman, Decanus Westminster, & Thomas Sampson, Decanus Exon. medium inter se ductum vice totius Cleri, præmissâ Oratione brevî Latinâ ab eodem Magistro Gabriele Goodman, personam electam ac ejus virtutes & animi dotes complectente, exhibuerunt. Quâ finitâ, idem Prolocutor per aliam Orationem non inelegantem se variis de causis ad hujusmodi munus obeundum inidoneum declaravit: Sed tandem ne opus tam pium effugere videretur, hujusmodi Provinciam in se lubens acceptare promissit; & tunc habito inter dictum Reverendissimum Patrem & Confratres suos tractatu de idoneitate dicti Prolocutoris, omnes unanimiter & concorditer ipsum Magistrum Nowel ad dictum Officium Prolocutoris obeundum maximè idoneum esse asseruerunt & affirmarunt. Unde Reverendissimus, cum Patrum unanimi consensu, Electionem hujusmodi de persona tam digni Viri factam, venusta Oratione approbavit & confirmavit. Et tunc, dimisso Clero Inferioris Domûs, Reverendissimus rogavit Patres, quòd unusquisq; eorum citra proximam Sessionem excogitare velit ea quæ in eorum separabilibus Diæcesibus Reformatione indigeant, ac in proximâ Sessione proponere dignaretur. Et tunc, habitâ inter dictum Reverendissimum Patrem & Confratres suos secretâ quadam communicatione (semotis omnibus arbitris,) tandem dictus Reverendissimus de consensu Patrum continuavit & prorogavit hujusmodi Convocationem sive sacram Synodum Provincialem, omniaq; & singula Certificatoria introducta & introducenda, in Statu quo nunc sunt, Usq; ad & in diem Martis proximè futurum horâ primâ post meridiem ejusdem diei ad Ecclesiam Collegiatam

Divi Petri Westminster, prout in quadam Schedulâ per eum lectâ plenius continetur, cujus quidem Schedulâ verus tenor sequitur, in hæc verba, In Dei Nomine, Amen. &c. Deinde dictus Reverendissimus pœnas contumaciarum omnium & singulorum absentium, ut priùs, ad ejus arbitrium reservavit.

Quarta Sessio.

DI E Martis, viz. 19°. die mensis Januarii, Anno Domini 1562. horâ secundâ post meridiem in Capellâ nuncupatâ, King Henry the Seventh's Chappel, infra Ecclesiam Collegiatam Divi Petri Westminster Situatâ, dictis primitus & publicè recitatis per Reverendissimum Patrem Dominum Matthæum Archiepiscopum Cantuariensem, & reliquos Episcopos Suffraganeos Provincia Cantuariensis precibus de quibus in Superiori Sessione fit mentio coram eodem Reverendissimo Patre pro Tribunali sedente, assidentibus secum Reverendis Patribus Dominis, &c. respectivè Episcopis, comparuit personaliter Magister Gabriel Goodman, Decanus Ecclesiæ Collegiatæ Divi Petri Westminster prædictæ, ac Vice sua & totius Capituli (ut asseruit) ejusdem Ecclesiæ palam & publicè protestatus fuit, Quod non intendit consentire ut hujusmodi sacra Synodus in dictâ Ecclesiâ Collegiatâ Divi Petri Westminster celebretur, nisi quatenus per privilegia ejusdem Ecclesiæ liceat & non aliter, neq; alio modo, quibus quidem privilegiis (ut asseruit) in aliquo derogare noluit, neq; intendit, sed eis firmitè adharere ac pro posse suo illæsa in omnibus conservare. Et tunc, habitâ inter dictum

Reve-

Reverendissimum Patrem, ac ceteros Episcopos suos Suffraganeos prænominatos communicatione si-
ve disputatione de quibusdam Articulis ad Chri-
stianam fidem facientibus; tandem dictus Reve-
rendissimus accersiri jussit ad se Prolocutorem
Domus Inferioris; qui quidem Prolocutor, unâ
cum Sex aliis de Clero dictæ Domus Inferioris co-
ram Patribus sui copiam faciens, proposuit & as-
seruit, quòd quidam de dicta Domo exhibuerant
quasdam diversas Schedas de rebus Reformandis
per eos respectivè excogitat. & in Scriptis re-
dact. Quæ quidem Scheda de communi consensu
traditæ sunt quibusdam viris gravioribus & doc-
tioribus de Cætu dictæ Domus Inferioris ad hoc
electis perspiciend. & considerand. Quibus sic
electis (ut asseruit) assignatum est ut hujusmo-
di Schedas in Capitula redigant ac in proximâ
Sessione exhibeant coram eodem Prolocutore. Et
ulterius proposuit, quòd Articuli in Synodo Lon-
dinensi, tempore nuper Regis Edwardi Sexti (ut
asseruit) editi, traditi sunt quibusdam aliis Viris
ex Cætu dictæ Domus Inferioris, ad hoc etiam
electis, ut eos diligenter perspiciant, examinent,
& considerent; ac prout eis visum fuerit, cor-
rigant & reforment, ac in proximâ Sessione etiam
exhibeant. Et tunc Reverendissimus hujusmodi
negotia per dictum Prolocutorem & Clerum in-
capta approbavit, ac in eisdem erga proximam
Sessionem juxta eorum determinationem procedere
voluit & mandavit. Quibus sic expeditis, Re-
verendissimus, &c. continuavit, &c. prout in
Schedula, &c. In Dei Nomine, Amen. &c.

Sessio Quinta.

DIE Mercurij, viz. 20°. die Mensis Januarii, &c. inter horam secundam & tertiam post meridiem ejusdem diei, Reverendissimus Pater Dominus Matthæus Archiepiscopus Cantuariensis, &c. Ac Reverendi Patres, &c. in Capellâ nuper Regis Henrici Septimi, infra Ecclesiam Collegiatam Divi Petri Westminster, congregati, &c. de & super quibusdam Articulis sacrosanc- tam Christi Religionem concernentibus, de qui- bus in Actis hesterni diei fit mentio, per spacium trium horarum aut circiter inter se tractarunt & communicarunt. Ac tandem dictus Reverendis- simus, &c. continuavit, &c. prout in Schedulâ, &c. In Dei Nomine, Amen. &c.

Sessio Sexta.

DIE Veneris, viz. xxij°. die Mensis Ja- nuarii, circa horam octavam ante meridi- em ejusdem diei, præfatus Reverendissimus Pa- ter, Dominus Matthæus Archiepiscopus Cantua- riensis, ac Reverendi Patres, &c. in Domo Ca- pitulari Ecclesiæ Cathedralis Divi Pauli London congregati, &c. Secretam quandam communicati- onem per spacium trium horarum Semotis Arbi- tris, inter se habuerunt; ac tandem dictus Re- verendissimus Pater, &c. continuavit, &c. usque in diem Luna, &c. inter horas 1. & 2. post me- ridiem, &c. prout in Schedulâ, &c. In Dei No- mine, Amen, &c.

Sessio

Sessio Septima.

DIE Lunæ, viz. 25. die mensis Januarii, Anno prædicto, circa horam tertiam post meridiem ejusdem diei, Reverendissimus in Christo Pater Dominus Matthæus Archiepiscopus Cantuariensis, &c. ac Reverendi Patres, &c. in Capella nuper Regis Henrici Septimi infra Ecclesiam Collegiatam Divi Petri Westm. congregati, per spatium duarum horarum aut circiter secretam quandam communicationem inter se habuerunt: Ac tandem Reverendissimus, &c. continuavit, &c. usque ad 5 in diem Mercurij, &c. inter horam 1 & 3 post meridiem, &c.

Sessio Octava.

DIE Mercurij, viz. 27°. die Mensis Januarij, 1562. horâ secunda post meridiem ejusdem diei in Capella nuper Regis Henrici Septimi, infra Ecclesiam Collegiatam Divi Petri Westminster, Reverendissimus in Christo Pater Dominus Matthæus permissione Divinâ Cantuariensis Archiepiscopus, &c. ac Reverendi Patres Domini, &c. respective Episcopi, pro Tribunali sedentes, per spatium trium fere horarum secretè inter se tractarunt & communicarunt. Ac tandem dictus Reverendissimus, &c. continuavit, &c.

Sessio

Sessio Nona.

DI E Veneris, viz. 29°. die Mensis Januarij, 1562. inter horam octavam & nonam ante meridiem ejusdem diei, Reverendissimo in Christo Patre Domino Matthæo Archiepiscopo Cantuariensi, &c. nec non Reverendis Patribus, &c. respective Episcopis in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London congregatis, post tractatum aliquem inter eos habitum, tandem super quibusdam Articulis Orthodoxæ Fidei inter Episcopos quorum nomina eis subscribuntur, unanimiter convenit, quorum quidem Articulorum tenores sequuntur & sunt tales: Articuli de quibus, &c. àc deinde Reverendi Patres Domini Edmundus London, Robertus Winton, Nicholaus Lincoln, & Johannes Hereforden, respective Episcopi, per Reverendissimum de consensu Confratrum suorum prænominatorum electi fuerunt ad excogitand. quædam Capitula de Disciplina in Ecclesiâ habend. Quibus sic gestis dictus Reverendissimus, &c. continuavit, &c. usque ad & in diem Mercurij, &c. inter horam 1 & 2 post meridiem, &c.

Sessio Decima.

DI E Mercurij, viz. 3°. die Mensis Februarij, 1562. in Capella Regis Henrici Septimi infra Ecclesiam Collegiatam Divi Petri Westminster situatâ, Reverendissimus in Christo Pater Dominus Matthæus Archiepiscopus Cantuariensis, nec non Reverendi Patres Domini, &c. respective Episcopi,

Episcopi, pro Tribunali sedentes, secretam quandam communicationem sive tractatum per spacium trium horarum aut circiter inter se habuerunt. Ac tandem dictus Reverendissimus, &c. continuavit, &c. usque ad & in diem Veneris, &c. inter horas octavam & nonam antemerid. &c. prout in Scheda, &c.

Sessio Undecima.

DIE Veneris, viz. 5°. die Mensis Februarij, 1562. in Domo Capitulari Ecclesie Cathedralis Divi Pauli London, coram Reverendis Patribus, &c. respective Episcopis tunc ibidem congregatis, presentatis per me Johannem Incent, Notarium Publicum Registrarium principalem Reverendissimi Patris Domini Matthæi Archiepiscopi Cantuariensis, &c. Literis Commissionibus ejusdem Reverendissimi Patris, prefatis Reverendis Patribus Dominis Edmundo London, Roberto Winton, Edwino Wigorn, & Nicholao Lincoln, respective Episcopis, ad tenendum Locum ejusdem Reverendissimi Patris in dicta Convocatione conjunctim & divisim, factis & concessis, ac per me Notarium Publicum predictum publice perlectis, prefatus Dominus Edmundus London, de consensu Collegarum suorum hujusmodi, ob reverentiam & honorem dicti Reverendissimi Patris accepit in se onus dictarum Literarum Commissionum, & decrevit procedendum fore juxta vim, formam, & effectum earundem. Deinde, post tractatum aliquem inter Patres predictas habitum, Reverendi Patres Domini Johannes Sarum, Thomas Coven & Lichen, Richardus Meneven, & Wilhelmus Exon, de unanimi con-

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sensu Patrum prædictorum, assignati fuerunt ad examinandum Librum vocatum (the Catechism.) Et tunc habitâ inter Patres communicatione & tractatu de Subsilio Domine nostræ Regine per Prælatos & Clerum Provinciæ Cantuariensis concedendo, iidem Patres accersiri fecerunt coram eis Prolocutorem Domus Inferioris. Qui quidem Prolocutor cum Sex aliis de cætu Domus Inferioris, coram eisdem Patribus sui copiam faciens, porrexit & exhibuit coram eisdem Patribus quosdam Articulos sive Libellum de Doctrinâ, &c. à Reverendissimo Domino Archiepiscopo Cantuariensi & aliis Reverendis Patribus ad cætum Ecclesiasticum dictæ Domus Inferioris, alias (ut asseruit) transmissos, ac per dictum cætum perspect. & propriis manibus nonnullorum ejusdem Cætus (ut apparuit) Subscripti. ac, nomine & consensu (ut asseruit) totius Cætus Ecclesiastici dictæ Domus Inferioris, rogavit Patres ut omnes qui hætenus Articulis dicti Libelli non subscripserunt, id suis propriis manibus publicè in frequenti Cætu Ecclesiastico dictæ Domus Inferioris, aut (si id recusarint) coram eisdem Reverendis Patribus facere cogantur. Et tunc Reverendi Patres unanimi consensu decreverunt, ut omnia & singula nomina eorum qui supra dictis Articulis nomina sua propriis suis manibus non subscripserunt, à dicto Domino Prolocutore descripta ad eos perferantur in proximâ Sessione. Quibus sic gestis, præfatus Reverendus Dominus London Episcopus, de consensu Collegarum suorum & aliorum Reverendorum Patrum prænominatorum, continuavit, &c. usque in diem Mercurij, &c. inter horas primam & secundam post meridiem, &c. prout in Schedulâ, &c.

Sessio Duodecima.

DIE Mercurij, viz. decimo die mensis Februarii, 1562. in Capella Regis Henrici septimi infra Ecclesiam Collegiatam Divi Petri Westminster, Reverendus Pater Dominus Edmundus London Episcopus, Reverendissimi in Christo Patris & Domini Domini Matthæi permissio-
ne divinâ Cantuariensis Archiepiscopi, &c. Locumtenens, Reverendiq; Patres Domini, &c. respective Episcopi pro Tribunali sedentes, de rebus Ecclesiæ aliquandiu tractarunt. Ac tandem Dominus Prolocutor, cum Octo aliis de Cætu Domûs Inferioris, coram dictis Patribus comparens, præsentavit & exhibuit quendam Librum de Subsidio Domine nostræ Regine per Clerum Provinciæ Cantuariensis concedendo, in Scriptis redactum; ac penes eosdem Patres dimisit, ac etiam præsentavit & exhibuit Libellum Articulorum de doctrina, &c. de quibus in ultimâ Sessione fit mentio; asserens, quòd quidam de Cætu dictæ Domûs citra ultimam Sessionem dictis Articulis manus suas subscripserunt, ac quidam alii nondum Subscripserunt. Unde dicti Patres voluerunt & mandarunt, quod nomina eorum, qui hætenùs non subscripserunt, præsententur coram eis in proxima Sessione. Deinde dictus Dominus Locumtenens, de consensu Confratrum suorum prædictorum, continuavit, &c. usque ad & in diem Veneris, &c. inter horas octavam & nonam ante meridiem, &c. prout in Schedulâ, &c.

Sessio XIII.

DIE Veneris, viz. 12°. die mensis Februarij, 1562. in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London. Reverendus in Christo Pater Dominus Edwinus permissione Divinâ Wigorn Episcopus, acceptans in se onus Commissionis Reverendissimi, &c. juxta formam & effectum ejusdem procedendum fore decrevit. Ac deinde idem Reverendus Pater, autoritate sibi commissâ continuavit, &c. usque ad & in diem Sabbati, &c. inter horas primam & secundam post meridiem, &c. prout in Schedulâ, &c.

Sessio XIV.

DIE Sabbati, viz. 13°. die mensis Februarij, 1562. hora secunda post meridiem ejusdem diei, Reverendissimus in Christo Pater Dominus Matthæus Archiepiscopus Cantuariensis, &c. necnon Reverendi in Christo Patres, &c. respective Episcopi, in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London congregati, de Subsidio Domine nostre Regine per Prelatos & Clerum Cantuarien. concedend°, aliquamdiu tractarunt. Ac tandem dictus Reverendissimus, &c. continuavit, &c. usque ad & in diem Lunæ, &c. inter horas primam & tertiam post meridiem, &c. prout in Schedulâ, &c.

Sessio XV.

DIE Lunæ, viz. 15°. die mensis Februarij, 1562. hora secunda post meridiem ejusdem diei in Capella Regis Henrici Septimi infra, &c. Reverendissimus Dominus Matthæus Archiepiscopus Cantuariensis ac, &c. respectivè Episcopi, pro Tribunali sedentes, de Subsidio Domina nostra Regina concedendo inter se tractarunt. Ac tandem Reverendissimus prædictus Dominus Matthæus Archiepiscopus Cant. & Dominus Robertus Winton Episcopus recesserunt. Post quorum recessum, Reverendi Patres Domini Edwinus Wigorn & Nicholaus Lincoln, dicti Reverendissimi Patris Locumtenentes, ac ceteri Reverendi Patres prænominati Librum de hujusmodi Subsidio in Scriptis conceptum coram eis perlegi fecerunt. Quo lecto, dictus Dominus Wigorn. Episcopus de consensu Patrum prænominatorum continuavit, &c. prout in Schedulâ, &c.

Sessio XVI.

DIE Mercurij, viz. 17°. die mensis Februarij, 1562. inter horas secundam & tertiam post meridiem ejusdem diei in Capella Regis Henrici Septimi infra, &c. Reverendus in Christo Pater Nicholaus permissione Divinâ Lincoln Episcopus, vice & auctoritate Reverendissimi Patris Archiepiscopi Cantuariensis, &c. continuavit, &c. usque ad & in diem Veneris, &c. inter horas octavam & nonam ante meridiem, &c. prout in Schedulâ, &c.

Sessio

Sessio XVII.

DIE Veneris, viz. 19°. die Mensis Februarii, 1562. in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London, Reverendissimus in Christo Pater Dominus Matthæus Archiepiscopus Cantuariensis, &c. unâ cum Reverendis Patribus Dominis, &c. pro Tribulani sedens, accersiri fecit ad se Prolocutorem Domus Inferioris. Cui quidem Prolocutori & Sex aliis de Clero dictæ Domus Inferioris coram dicto Reverendissimo & aliis Reverendis Patribus prænominatis constitut' idem Reverendissimus de & cum consensu Confratrum suorum hujusmodi tradidit quosdam Articulos in Scriptis conceptos, mandando quatenus super contentis in dictis Articulis diligenter inquirerant, ac quicquid inde invenerint, in Scriptis redigant, ac dicto Reverendissimo porrigant & exhibeant. Et tunc dimissis dictis Prolocutore & Clero, ac habito secreto tractatu inter dictum Reverendissimum Patrem & Confratres suos per spacium unius horæ aut circiter, tandem præfatus Reverendissimus de consensu Confratrum suorum continuavit, &c. usque ad & in diem Lunæ, &c. inter horas 1 & 2 post Meridiem, &c. prout in Schedulâ, &c.

Articuli, vero de quibus suprà fit mentio, hic inferius describuntur.

First, Whether if the Writ of (*melius inquirerend'*) be sent forth, the likelihood be that it will turn to the Queen's commodity?

Item, Whether some Benefices rateable, be not less than they be already valued?

Item,

Item, To enquire of the manner of *Dilapidations* and other *Spoliations* that they can remember to have passed upon their Livings, and by whom?

Item, How they been have used for the levying of *Arrearage* of *Tenths* and *Subsidies*, and for how many Years past?

Item, How many *Benefices* they find that are charged with *Pensions* of Religious Persons?

Item, To certifie how many *Benefices* are vacant in every *Diocese*?

Eodem die, *Venerabilis Vir Magister Thomas Yale, Legum Doctor, Vicarius in Spiritualibus Generalis dicti Reverendissimi Patris, ac Commissarius in hac parte specialiter deputatus, in Capella beatae Mariae infra Ecclesiam Cathedralem divi Pauli London Situat' Domo viz. Inferioris Convocationis praedict. in praesentia, (ut dicebatur) Magistri Wilhelmi Saye, Notarii Publici, dictae Domus Inferioris Registrarii & Actorum Scribae, judicialiter sedens legit quandam Schemulam contra omnes & singulos Decanos, Capitula, Archidiaconos, & Cleri Procuratores, ac ceteros quoscunq; in dicta Convocatione, juxta monitionem legitimam in hac parte factam, non comparentes, aut ab eadem sine licentia, &c. recedentes. Cujus quidem Schemula verus tenor sequitur, & est talis, In Dei Nomine, Amen. &c.*

Sessio XVIII.

DIE Lunæ, viz. 22^o. die Mensis Februarii, 1562. Reverendissimus Pater Dominus Mathæus

Matthæus Cantuariensis, ac Reverendi Patres Domini, &c. respectivè Episcopi, in Capella Regis Henrici Septimi infra, &c. congregati, & pro Tribunali sedentes, ac de Subsidio Domine nostre Regine concedendo aliquandiu tractantes, tandem unanimiter convenerunt de hujusmodi Subsidio eidem Domine nostre Regine concedendo sub modo & forma ac conditionibus & provisionibus sequentibus, viz. The Prelates and Clergy of the Province of Canterbury, &c. Quibus sic factis, dictus Reverendissimus, &c. continuavit, &c. usque ad & in diem Mercurii, &c. inter horam octavam & decimam ante Meridiem, &c. prout in Scheda, &c.

Sessio XIX.

DIE Mercurij, viz. 24. die Mensis Februarii, &c. in Capella Regis Henrici Septimi infra, &c. Reverendissimus, &c. nec non Reverendi Patres, &c. respectivè Episcopi, congregati, Surrogatum Prolocutoris (dicto Prolocutore absente) & Clerum Domus Inferioris, ad se accersiri jusserunt; ac coram eis publicè legi fecerunt Librum de Subsidio, Domine nostre Regine concesso, de quo in Actis proximè præcedentis Sessionis fit mentio, in pergameni conscript. ac Sigillo dicti Reverendissimi Patris sigillat'. Cui quidem Libro sic perlecto, ac omnibus & singulis concessionibus, conditionibus & provisionibus in eodem mentionatis sub modo & forma supra specificatis, dictus Clerus Inferioris Domus consensum & assensum suos unanimiter adhibuerunt.

Sessio XX.

DI E Veneris, viz. 26. die Mensis Februarii, &c. Reverendissimus Pater Dominus Matthæus Cantuar. &c. in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London congregati, & pro Tribunali sedentes, secretum quendam tractatum aliquandiu inter se habuerunt. Deinde Prolocutor & decem alii de Cætu Domûs Inferioris viz. Magister Georgius Carewe, Decanus Ecclesiæ Collegiatæ sive Capellæ Regiæ de Winsor, Magister Pedder Decanus Wigorn, Magister Salisburie Decanus Norwicen, Mag. Latimer Decanus Petriburgen, Mag. Cottrell Archidiaconus Dorset, Mag. Kennall Archidiaconus Exon, Mag. Chaundler Archidiaconus Sarum, Mag. Walker Archidiaconus Stafford, Mag. Hewitt Præcentor Meneven. & Mag. Levar Archidiaconus Coven. coram dicto Reverendissimo Patre ac ceteris Reverendis Patribus prænominatis personaliter comparentes, tam nominibus suis propriis, quam vice & nomine totius Cætûs (ut asserunt) Domûs Inferioris Convocationis prædict. porrexerunt eisdem Patribus quendam Librum de Disciplinâ, &c. in papiro. Cui quidem Libro (ut asseruerunt) dictus Cætus Domûs Inferioris unanimiter consenserunt. Et tunc dictus Liber, de consensu Patrum prædictorum, commissus fuit Reverendissimo Domino Cantuar. ac Reverendis Dominis London, Winton, Cicestren, Hereforden, & Elien, examinandis. Quibus sic gestis, dictus Reverendissimus de consensu Confratrum suorum continuavit, &c. Usq; ad & in diem Lunæ, &c. inter horas primam & tertiam post meridiem, &c. prout in Schedulâ, &c.

Sessio XXI.

DIE Lunæ, viz. primo die mensis Martii, &c. Reverendissimus Pater Dominus Mathæus Cantuar. &c. ac Reverendi Patres Domini, &c. respectivè Episcopi, in Capella Regis Henrici Septimi infra Ecclesiam Collegiatam Divi Petri Westminster, pro Tribulani sedentes, per spacium duarum horarum aut circiter inter se secretè communicarunt. Et tunc comparuit coram eis Prolocutor Domus Inferioris, & allegavit, quòd Cetus dictæ Domus Inferioris excogitavit quædam Capitula additionalia ad Librum de Disciplina coram Patribus ultima Sessione porrectum, quæ quidem Capitula dicto Libro (ut asseruit) addi cupit. Unde dictus Reverendissimus tradidit eidem Domino Prolocutori Librum prædictum, mandando quòd additis hujusmodi Capitulis sic excogitatis, ipsum Librum, cum Additionalibus prædictis, denuò exhibeat coram eodem Reverendissimo & Confratribus suis in proximâ Sessione. Deinde, dictus Reverendissimus, &c. continuavit, &c. Usq; ad & in diem Mercurii, &c. inter horas primam & tertiam post meridiem, &c. prout in Scheda, &c.

Sessio XXII.

DIE Mercurij, viz. tertio die mensis Martii, 1562. coram Reverendissimo Patre Domino Archiepiscopo Cantuariensi, ac Reverendis Patribus Dominis, &c. respectivè Episcopis, in Capellâ Regis Henrici Septimi, &c. Dominus Prolocutor Domus Inferioris Convocationis, ac Mag. Thomas Sampson Decanus Ecclesiæ Christi Oxon, & Wilhelmus Deye Præpositus Collegii Regalis de Eaton, personaliter comparentes, nomine totius Cuius dictæ Domus Inferioris præsentârunt eisdem

dem Patribus quendam Librum nuncupatum Catechismus puerorum, cui (ut asseruerunt) omnes de Cœtu ejusdem Domûs unanimiter consenserunt. Quem quidem Librum penes eosdem Patres dimiserunt. Et tunc, dicto Domino Prolocutore, unâ cum præfatis Magistris Sampson & Deye ad Domum Inferiorem prædictam sese conferentes, dictus Reverendissimus cum Confratribus suis prænominatis ac Reverendis Patribus Dominis Roberto Winton, Johanne Hereforden, Nicholao Lincoln, & Thomâ Coven & Lichen, respectivè Episcopis, secretam quandam communicationem sive tractatum per spacium duarum horarum & ultra habuit. Ac postremò ipse Reverendissimus Pater, &c. continuavit, &c. Usq; ad & in diem Veneris, &c. inter horas octavam & nonam ante, &c. prout in Scheda, &c.

Sessio XXIII.

DIE Veneris, viz. 5. die mensis Martii, 1562. in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London, hora prius assignata, Reverendissimus, &c. ac Reverendi Patres, &c. respectivè Episcopi, pro Tribunali sedentes, secretè inter se aliquandiu communicarunt. Ac tandem comparuit coram eis Dominus Prolocutor Domûs Inferioris, ac Magistri Johannes Warner Decanus Winton, Johannes Salisbury Decanus Norwiche, Thomas Watts Archidiaconus Middlesex, & Robertus Weston unus Procuratorum Cleri Diocesis Lichen. & exhibuerunt coram eisdem Patribus Librum de Disciplina, unâ cum quibusdam, Capitulis additionalibus ad eundem, viz. de Adulterio, &c. & penes eosdem Patres dimiserunt. Et dictus Reverendissimus, &c. continuavit, &c. Usq; in diem Lunæ, &c. inter horas primam & secundam post meridiem ejusdem diei, &c. prout in Scheda, &c.

Sessio XXIV.

DIE Lunæ, 8. viz. die mensis Martii, 1562. in Capella Regis Henrici Septimi, &c. Reverendus Pater Dominus Edmundus London Episcopus, assidentibus. secum Reverendis Patribus Dominis, &c. respectivè Episcopis, vice ac autoritate dicti Reverendissimi Patris, continuavit, &c. Usq; ad & in diem Mercurii, &c. inter horas primam & secundam, &c. ad hunc Locum prout in Scheda, &c.

Sessio XXV.

DIE Mercurij, viz. decimo die mensis Martii, 1562. in Capella Regis Henrici Septimi, &c. Reverendissimus, &c. unà cum Reverendis Patribus, &c. respectivè Episcopis pro Tribunali sedens, post tractatum aliquem cum eisdem Confratribus suis per duarum horarum spacium secretè habitum continuavit, &c. Usq; ad & in diem Veneris, &c. inter horas octavam & nonam ante meridiem, &c. prout in Schedulâ, &c.

Sessio XXVI.

DIE Veneris, viz. 12°. die mensis Martii, &c. in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London, Reverendissimus, &c. una cum Reverendis Patribus &c. respectivè Episcopis, pro Tribunali sedens, post secretum quendam tractatum cum eisdem Confratribus suis per spacium duarum horarum habitum, &c. prorogavit, &c. Usq; ad & in diem Lunæ, &c. inter horas primam & secundam post meridiem, &c. ad Capellam Regis Henrici Septimi, &c. prout in Scheda, &c.

Sessio XXVII.

DIE Lunæ, viz. 15. die mensis Martij, &c. in quodam alto deambulatorio, infra manerium Domini Archiepiscopi Cant. apud Lambeth, Reverendissimus, &c. in præsentia mei Johannis Incent Notarii Publici, Registrarii primarii dicti Reverendissimi Patris personaliter constitutus, commisit vices suas Reverendo in Christo Patri Domino Wilhelmo permissione divina Cicestrensi Episcopo ad continuand. & prorogand. præfatam Convoc. sive Sacram Synodum Provinc. in Statu quo nunc est usq; ad & in diem Mercurij prox. futurum, viz. 17. diem præsentis mensis Martij, inter horas primam & secundam post meridiem ejusdem diei, ad Capellam Regis Henrici Septimi infra, &c. ac postea de die in diem & de Loco in Locum, quoties ipsum Reverendissimum Patrem abesse contigerit; Ac cætera omnia & singula faciend. & expediend. quæ in præmissis aut circa ea necessaria fuerint, seu quomodolibet opportuna. Et promisit de Rat. &c. Deinde eodem die in Capella Regis Henrici Septimi super-mentionatâ, in præsentia mei præfati Johannis Incent Notarii Publici ac Registrarii antedicti, dictus Reverendus Pater Dominus Wilhelmus Cicestrensis Episcopus acceptans in se Onus Commissionis præfati Reverendissimi Patris, juxta vim formam & effectum ejusdem procedendum fore decrevit. Ac mox, auctoritate sibi commissâ, continuavit, &c. Usq; ad & in diem Mercurij &c. inter horas primam & secundam post, &c. prout in Scheda, &c.

Sessio XXVIII

DIE Mercurij, viz. 17. die mensis Martij, &c. in Capella Regis Henrici Septimi infra, &c. Venerabilis Vir Magister Thomas Yale Legum Doctor, Reverendissimi, &c. Vicarius in Spiritualibus Generalis, & Commissarius ad infra Scripta sufficienter constitutus, vice & auctoritate ejusdem Reverendissimi Patris continuavit, &c. Usq; ad & in diem Veneris, &c. inter horas nonam & undecimam ante meridiem, &c. prout in Sedula, &c.

Sessio XXIX

DIE Veneris, viz. 19. die mensis Martii, 1562. in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London, Reverendissimus, &c. pro Tribunali sedens, assidentibus secum Reverendis Patribus, &c. respectivè Episcopis, cum eisdem Confratribus suis per spacium duarum horarum aut circiter secretè communicavit; ac postea continuavit, &c. Usque ad & in diem Lunæ, &c. inter horas 1 & 3 post, &c. prout in Sedula, &c.

Sessio XXX.

DIE Lunæ, viz. 22. die mensis Martii, &c. in Capella Regis Henrici Septimi infra, &c. Reverendus Pater Wilhelmus, &c. Cicestrensis Episcopus, vice & auctoritate Reverendissimi Domini, &c. continuavit, &c. Usq; ad & in diem Veneris,

Veneris, &c. inter horas octavam & undecimam ante, &c. prout in Schedulâ, &c.

Sessio XXXI.X

DIE Veneris, viz. 26. die Mensis Martii, 1563. hora nona ante meridiem, in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London, Venerabilis Vir Magister Valentinus Dale, Legum Doctor, vice & autoritate Reverendissimi, &c. continuavit, &c. Usq; ad & inter horam primam & tertiam post meridiem hujus diei ad hunc locum, prout in Schedulâ, &c.

Eodem Die, hora secunda post meridiem ejusdem diei in Domo Capitulari Ecclesiæ Divi Pauli London, Venerabilis Vir Magister Thomas Yale, Legum Doctor, vice & autoritate dicti Reverendissimi Patris, &c. continuavit, &c. Usq; ad & in diem Veneris, &c. inter horas octavam & decimam ante, &c. prout in Schedulâ, &c.

Sessio XXXII.

DIE Veneris, viz. secundo die mensis Aprilis, 1563. in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London, hora nona ante meridiem ejusdem diei, Venerabilis Vir Magister Thomas Yale Legum Doctor, vice & autoritate Reverendissimi, &c. continuavit, &c. Usq; ad & in diem Lunæ, &c. inter horas primam & tertiam post, &c. prout in Schedulâ, &c.

Sessio

Sessio XXXIII.

DIE Lunæ, viz. 5. die mensis Aprilis, 1563. Venerabilis Vir Magister Thomas Yale Legum Doctor, vice & authoritate Reverendissimi, &c. continuavit, &c. Usq; ad & in diem Jovis, &c. inter horas primam & secundam, &c. prout in Scheda, &c.

Sessio XXXIV.

DIE Jovis, viz. octavo die mensis Aprilis, &c. in Capella Regis Henrici Septimi, &c. præfatus Magister Thomas Yale vice & authoritate dicti Reverendissimi, &c. continuavit, &c. Usq; ad & in diem Sabbati, &c. inter horas primam & tertiam post, &c. prout in Scheda, &c.

Sessio XXXV.

DIE Sabbati, viz. Decimo die mensis Aprilis, 1563. in Capella Regis Henrici Septimi infra, &c. Venerabilis Vir Magister Thomas Yale Legum Doctor, Locum Tenens antedictus, vice & authoritate Reverendissimi, &c. continuavit, &c. ad & in diem Mercurij proxime futurum, viz. 14 diem præsentis mensis Aprilis inter horas primam & tertiam post meridiem ejusdem diei ad hunc Locum, prout in Scheda per eum lectâ tenore Subscripto plenius continetur. In Dei Nomine, Amen, &c.

Breve Regium de Convocatione Proroganda.

Elizabeth, Dei gratiâ, &c. Reverendissimo in Christo Patri Matthæo eadem gratiâ Cant. Archiepiscopo, &c.

Com-

Commissio Archiepiscopi.

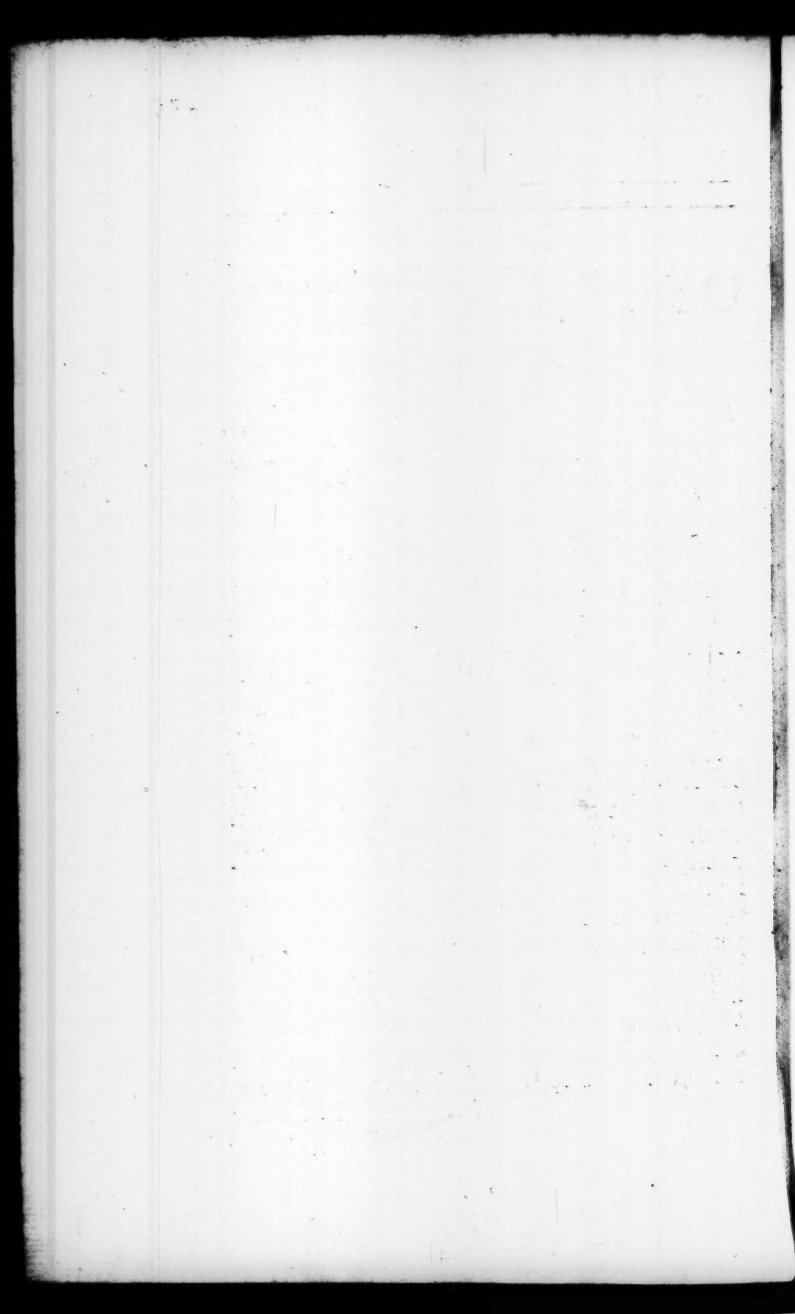
Nos Matthæus Cantuariensis Archiepiscopus,
&c. habentes Mandatum Domine nostræ de
Prorogandâ Convocatione, &c.

Sessio XXXVI.

DIE Mercurij, viz. 14. die mensis Aprilis, An.
Dom. 1563. in Capellâ Regis Henrici Sep-
timi, &c. in præsentia mei Johannis Incent Nota-
rii Publici Registrarii, &c. Venerabilis Vir Ma-
gister Thomas Yale Legum Doctor, pro Tribu-
nali sedens, acceptavit in se onus Commissio-
nis dicti Reverendissimi Patris Domini Matthæi
Archiepiscopi Cant. &c. de Convocatione Prorogand.
sibi factâ, & decrevit procedend. fore juxta vim,
formam, & effectum ejusdem. Et mox dictus
Mr. Yale, vice & autoritate præfati Reveren-
dissimi Patris, Continuavit & Prorogavit eandem
Convocationem in Statu quo nunc est usque ad &
in tertium diem mensis Octobris prox. futur. ad
hunc locum, juxta tenorem Brevis Regii supra-
script. eidem Reverendo Patri in hac parte di-
rect. Prout in Schedulâ per eum lectâ plenius
continetur: Cujus quidem Schedulæ verus tenor
sequitur in hæc Verba, In Dei Nomine, Amen.
&c.

T

OBSEF.



Forma *sive* Descriptio Con-
vocationis Celebrandæ, prout
ab Antiquo observari con-
suevit.

Sciendum est, quòd Omnes qui Auctori-
tate Reverendissimi Domini Archiepi-
scopi Cantuar' citantur ad comparandum
coram Eo in Domo Capitulari Ecclesiæ Cath-
edralis Divi Pauli London' duodecimo die Jan'
prox' tenentur præfixo tempore interesse, atque
in eâdem Ecclesiâ Cath' præstolari Adventum
dicti Reverendissimi. Qui ex more, paulo post
octavam ante Meridiem illius diei, solet cum cele-
bri Comitatu apud Portum Thamisis vocatum
Paul's Wharf in terram descendere, atque ex-
inde Præeuntibus Advocatis & Procuratoribus
Curie Cantuar' certisque Reverendissimi Gene-
rosis ac Virgifero Convocationis, ad Ecclesiam
Cath' Divi Pauli London rectà tendere, atque
in chorum ibidem ingredi. Ubi postquam in
Stallo Decani collocatus fuerit, ac preces dixerit,
tam Ipse quam Reliqui Episcopi præsentibus habitu
Convocationis rogati, ex utroque Chori latere in
suis stallis sese constituent, & mox incipiunt pre-
ces,

ces, quibus S. Sancti gratia invocatur; ac Communio subsequitur. Ac tempore Offertorii, tam dictus Reverendissimus quam ceteri suffraganei Episcopi rem divinam celebranti ordine progredientes Oblationem offerre ex more debent. Peractâ in hunc morem Re Divinâ, solet doctus aliquis ex Cœtu Convocationis, sive Superioris, sive Inferioris Domus, ad hoc selectus, è Suggestu in medio Chori Concionem ad Clerum ibidem congregatum Latine proferre.

Subcundam, in the MS.

Quâ absolutâ, Reverendissimus statim se confert in Domum Capitularem dictæ Ecclesiæ; sequentibus Episcopis, & toto Clero. Quibus ingressis ac seclusis Extraneis, Reverendissimo ac ceteris suis Co-Episcopis in suis sedibus ordine confidentibus, ac reliquo Clero circumstante, Reverendus Dominus Episcopus London. Mandatum sibi à dicto Reverendissimo ad Convocationem hujusmodi [submonendam] aliàs directum, una cum debito Certificatorio super executione ejusdem, introducere, ac debita cum Reverentia eidem Reverendissimo Patri præsentare & tradere tenetur.

Quo quidem Certificatorio perlecto, statim porrigitur eidem Reverendissimo Scheda descripta, per quam pronunciat omnes ad eosdem diem, horam & locum non comparentes Contumaces, reservando pœnam eorum contumaciæ in aliquem diem competentem pro Beneplacito ipsius Reverendissimi.

Pra-

Premissis sic expeditis dictus Reverendissimus ad Episcopos & Clerum tunc presentes Anglicè sive Latine Causam sui adventus ac dictæ Convocationis inchoatæ exponit.

Quodque ex laudabili & antiqua Ordinatione eadem Convocatio in duo Membra dividitur, nempe in Superiorem atque Inferiorem domum. Unde Reverendissimus & ceteri Co-Episcopi Superiorem Domum efficiunt; Inferior verò Domus ex Decanis Ecclesiarum Cath^æ Archidiaconis, Collegiorum Magistris, & Capitulorum Cath^æ Ecclesiarum, necnon Cleri cujuscunque Diæceseos Procuratoribus constat.

Et quoniam si in rerum tractandarum serie unusquisque ex Inferiore Domo suam ipse sententiam, quoties visum esset, diceret, aut si omnes aut plures simul loquerentur, pareret confusionem, igitur semper hæcenus observatum fuit, ut Unus aliquis doctus & disertus ex gremio dictæ inferioris Domus in eorum omnium locum ad hoc munus assumatur; ut Is intellectis & scrutatis cæterorum Omnium votis, tanquam unum Eorum omnium Os & Organum loquatur, & consonam eorum sententiam eidem Reverendissimo, cum ad hoc rogatus seu missus fuerit, cæteris silentibus fideliter referat: Qui ex hoc munere Referendarius sive Prolocutor communiter denominatur. Cujus eligendi libera facultas semper penes dictam Inferiorem Domum remanet.

Forma Convocationis celebrandæ.

Unde ipse Reverendissimus solet eosdem ex Inferiori Domo monere atque hortari, ut statim se conferant in dictam Inferiorem Domum, ibique de viro docto, pio & fideli in Prolocutorem suum assumendo consultantes, unanimiter consentiant & eligant, sicque electum ipsi Reverendissimo in eadem Domo Capitulari prox^a insequente Sessione debita cum solemnitate presentent. His dictis, descendunt Omnes in Inferiorem Domum ad effectum prædictum.

Forma Eligendi & Præsentandi Prolocutorem.

Solet observari, ut postquam ingressi fuerint Inferiorem Domum, in sedibus se decenter collocent, & si Aliqui ex Iis sint Consiliarii sive Sacellani Regiæ Majestatis, ut hi superiores sedes occupent; atque ut Unus ex Iis propter Dignitatem & Reverentiam, seu in eorum absentia, Decanus Ecclesiæ Cath^æ D. Pauli Londⁿ sive Archidiaconus Londⁿ Præsidentis officio in hujusmodi Electione fungatur.

Atque ut ad hoc ritè procedatur, primum jubebit nomina omnium citatorum & qui tunc interesse tenentur à Clerico dictæ Inferioris Domus recitari & præconizari. Notatisq; Absentibus, alloquatur præsentem, atque eorum sententiam de idoneo Procuratore eligendo sciscitetur.

Et

Et postquam de eo convenerint (quod semper quasi statim & absque ullo negotio perfici solebat) mox conveniunt inter se de Duobus eminentioris Ordinis, qui dictum Electum Reverendissimo Domino Cantuar' in Die statuto debita cum Reverentia & Solennitate presentent. Quorum Alter sicut, cum dies advenerit, ipsum Prolocutorem cum Latina & docta Oratione presentare tenetur, sic etiam idem Presentatus habitu Doctoratus indutus consimilem Orationem ad dictum Reverendissimum Patrem ac Prelatos & ceteros presentes habere debet.

Quibus finitis, prefatus Reverendissimus Oratione Latina tam Electores quam Presentatorem & Presentatum pro sua gratia collaudare, ac demum ipsam Electionem sua Archiepiscopali Autoritate expresse confirmare & approbare non dedignabitur.

Et statim idem Reverendissimus Anglicè (si placeat) exponere solet ulterius Beneplacitum suum; Hortando Clerum, ut de rebus communibus quæ Reformatione indigent, consultant & referant die statuto. Ac ad hunc modum de Sessione in Sessionem continuabitur Convocatio quamdiu expedire videbitur, ac donec de eadem dissolvenda Breve Regium eidem Reverendissimo presentetur.

Et sciendum est, quod quotiescunq; Prolocutor ad presentiam Reverendissimi causa Convocationis ac tempore Sessionis accesserit, utatur habitu predicto, ac Janitor sive Virgifer dictæ

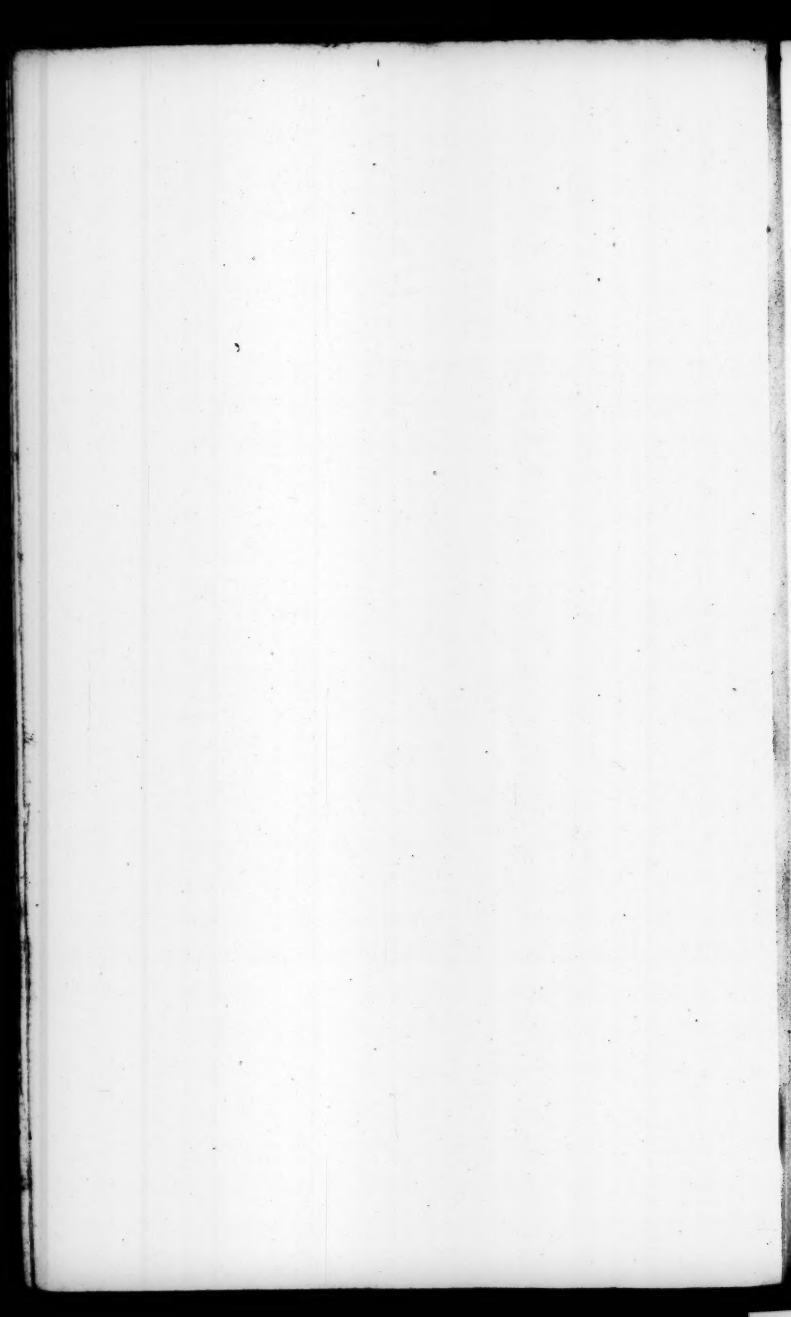
Forma Convocationis celebrandæ.

inferioris Domus ipsum reverenter antecedit.

Ejusdem Prolocutoris est etiam monere omnes ne discedant à Civitate London' absq; Licentia Reverendissimi; Quodque statutis diebus tempestivè veniant ad Convocationem. Quodque salaria Clericorum tam Superioris quam Inferioris Domus, & Janitoris inferioris Domus, juxta antiquam taxationem, quatenus eorum quemlibet concernit, fideliter persolvant.

ACTA

ACTA
IN SUPERIORE DOMO CONVOCATIONIS
INCOEPTÆ DECIMO QUARTO DIE APRILIS
ANNO MDCXL.
PRÆSIDE REVERENDISSIMO PATRE
GULIELMO LAUD
ARCHIEP. CANT.



Archbishop LAUD's Mandate to
the Bishop of London, for Sum-
moning a Convocation to meet at
St. Paul's, April 14. 1640.

Guilielmus Providentia Divina Cant. Archiepi-
scopus, totius Angliæ Primas & Metropolitanus,
Venerabili Confratri nostro Domino Gulielmo eadem
Providentia London. Episcopo, summo Angliæ The-
saurario, Salutem & Fraternali in Domino Chari-
tatem. Breve Illustrissimi in Christo Principis &
Domini nostri CAROLI Dei gratia Angliæ, Sco-
tiæ, Franciæ, & Hiberniæ Regis, Fidei Defensoris, &c.
Nobis inscriptum & directum, nuper cum ea qua de-
cuit reverentia, observantia & subjectione, humiliter
recepimus in hæc verba. CAROLUS Dei gratia
Angliæ, Scotiæ, Franciæ, & Hiberniæ Rex, Fidei
Defensor, &c. Reverendissimo in Christo Patri ac
Fideli Consiliario nostro Gulielmo eadem gratia Cant.
Archiepiscopo, totius Angliæ Primati & Metropoli-
tano Salutem. Quibusdam arduis & urgentibus nego-
tiis Nos, Securitatem & Defensionem Ecclesiæ Angli-
cane ac pacem & tranquillitatem, bonum publicum &
defensionem Regni nostri & subditorum nostrorum
ejusdem concernentibus, Vobis in fide & dilectione qui-
bus nobis tenemini rogando mandamus, quatenus præ-
missis debito intuitu attentis & ponderatis, universos
& singulos Episcopos vestræ Provinciæ, ac Decanos
Ecclesiarum Cathedralium, necnon Archidiaconos,
Capitula & Collegia, totumque Clerum cujuslibet Dia-
ceseos

Mandatum pro Summonitione

cesceas ejusdem Provinciae, ad comparandum coram vobis in Ecclesia Cathedrali Sancti Pauli London. decimo quarto die mensis Aprilis proxime futuri, vel alibi prout melius expedire videatis, cum omni celeritate accommoda modo debito convocari faciatis, ad tractandum, consentiendum & concludendum super praemissis & aliis quae sibi clarius exponantur tunc ibidem ex parte nostra. Et hoc sicut nos & statum Regni nostri & honorem & utilitatem Ecclesiae praedictae diligitis, nullatenus omittatis. Teste meipso apud Westm. vicesimo die Februarii Anno Regni nostri decimo quinto. Quocirca fraternitati vestrae committimus & mandamus, quatenus omnes & singulos Co-Episcopos Ecclesiae nostrae Christi Cant. Suffraganeos infra praefatam Provinciam nostram Cantuariensem constitutos, peremptorie citetis, ac per eos, Decanos Ecclesiarum Cathedralium & Collegiarum & singula Capitula earundem, Archidiaconosq; & ceteros Ecclesiarum Praelatos Exemptos & non Exemptos, Clerumq; cujuslibet Dioc. Provinciae nostrae antedictae peremptorie citari & praemoneri volumus & mandamus, Quod iidem Episcopi, Decani, Archidiaconi & ceteri Ecclesiarum Praelati Exempti & non Exempti personaliter, & quodlibet Capitulum Ecclesiarum Cathedralium & Collegiarum per unum, Clerusque cujuslibet Dioc. Provinciae nostrae antedictae per duos sufficientes Procuratores, compareant coram nobis aut nostro in hac parte locum tenente sive Commissario (si nos impediri contingerit) in Domo Capitulari Ecclesiae Cathedralis S. Pauli London, decimo quarto die mensis Aprilis prox. futuro post datum praesentium cum continuatione & prorogatione dierum extunc sequentium & locorum (si oporteat) fiend. ad tractandum super arduis & urgentibus negotiis statum & utilitatem, bonum Publicum & defensionem Regni Angliae & subditorum ejusdem concernentibus, ipsis tunc & ibidem seriosius exponend. suaque

suaque sana consilia & auxilia super eis impensur. ac his quæ ibidem ex deliberatione communi ad honorem Dei & Ecclesiæ utilitatem salubriter ordinari & statui contigerit, consensur. ulteriusque factur. & receptur. quod justum fuerit et hujusmodi Negotii natura & qualitas de se exigunt & requirunt. Vos autem, Venerabilis Confrater noster, dictum Mandatum quatenus vos & Capitulum Ecclesiæ vestræ Cathedralis ac Civitatem & Diœc. London concernit, exequi per omnia faciatis & eidem pareatis in omnibus cum Effectu. Præterea tenore præsentium vos citamus quatenus eisdem die & loco coram nobis aut nostro in hac parte locum tenente sive Commissario uno vel pluribus unâ cum aliis Venerabilibus Confratribus nostris dictæ Provinciæ nostræ Cant. Co-Episcopis compareatis super hujusmodi negotiis (ut præmittitur) tractatur. necnon factur. & receptur. quod ad vestram Paternitatem attinet, prout superius continetur. Volumus insuper & mandamus quatenus intimetis & denunciatis seu intimari & denunciari faciatis dictæ Provinciæ nostræ Cant. Co-Episcopis, Decanis, Archidiaconis & ceteris Ecclesiarum Prælatiis suprascriptis; quod eos à personali comparitione in hujusmodi negotio Convocationis & Congregationis dictis die & loco (ut præmittitur) Divina favente clementia celebrando excusatos non habere intendimus ista vice nisi ex causa necessaria tunc & ibidem allegand. & proponend. & per nos approband. sed Contumacias eorum qui absentes fuerint Canonice punire. Et præterea vobis ut supra injungimus & mandamus, quod omnibus & singulis Co-Episcopis Suffraganeis Provinciæ nostræ Cant. predictæ injungatis seu faciatis injungi ut singuli eorum sigillatim de facto suo quatenus pertinet ad eosdem Nos seu locum tenentem sive Commissarium nostrum unum vel plures dictis die & loco per literas eorum patentes nomina & cognomina omni-

Mandatum pro Summonitione, &c.

um & singulorum per eos respective citatorum continentes distinctè certificent & aperte. De die vero receptionis presentium, & quid in præmissis feceritis, Nos aut nostrum Commissarium hujusmodi dictis die & loco debite certificari curetis per literas vestras Patentes, harum scriem una cum nominibus omnium & singulorum Episcoporum Provinciae nostrae Cant. Decanorum, Archidiaconorum & ceterorum Prælatorum vestrae Diœc. in separata Scheda literis Certificatoriis annectend. complectent. Datum in Manerio nostro de Lambeth vicesimo secundo die mensis Febr. Anno Domini juxta computationem Ecclesiae Anglicanae millesimo sexcentesimo tricesimo nono, & nostrae Translacionis Anno Septima.

Prima

Prima Sessio.

DIE Martis, decimo quarto viz. die Mensis Aprilis, Anno Domini Millesimo Sexcentesimo quadragesimo, Regnique Serenissimi in Christo Principis & Domini nostri Domini Caroli Dei gratia Anglia, Scotia, Francia, & Hibernia Regis, fidei defensoris, &c. anno decimo Sexto Reverendissimus in Christo Pater, & Dominus Dominus Gulielmus providentia Divina Cantuariensis Archiepiscopus, totius Anglia Primas & Metropolitanus, Mane inter horas octavam & nonam ante meridiem ejusdem diei, à Manerio suo de Lambeth in Naviculo suo dicto Vulgo a Barge, ad Ripam dictam Paul's Wharfe London applicuit, ibidemq; ab Advocatis & Procuratoribus ac ceteris Ministris Almae suae Curiae Cantuariensis de Arcubus London. acceptus, in curru sive vehiculo ad Palatium Episcopale London venit. Ac paulò post, Idem Reverendissimus Pater amictu & habitu suis vestitus, ab Advocatis, Procuratoribus, & ceteris Ministris suis Curiae praedictae, ad Ostium boreale Ecclesiae Paulinae juxta Palatium Episcopale London antedictum, & inde in Ecclesiam Cathedralem Sancti Pauli London praedict. ductus fuit. Ibiq; ad dictum Ostium, Venerabiles Viri Thomas Wynnyff, Sacrae Theologiae Professor, Decanus, nec non Henricus King & Johannes Montfort, Sacrae Theologiae Professores, Canonici Residentiarii dictae Ecclesiae Cathedralis, ceteriq; Ministri ejusdem Ecclesiae Superpellitiis induti, eum praestolabantur, & ad Chorum ipsius Ecclesiae per Occidentale Ostium ejusdem Chori perduxerunt; Comitantibus eum Episcopis Suffraganeis Provinciae suae Cantuariensis, similibus habitibus indutis,

& ibidem in Stallo Decani collocatus fuit. Caterisq; Episcopis Suffraganeis Provincia Cantuariensis, habitibus suis in hujusmodi negotio Convocationis solitis & consuetis, indutis, Stallis Præbendariorum, ex utraq; parte dicti Chori, sedentibus: Ac consequenter decantato per Ministros Chori prædicti Hymno, **TE DEUM LAUDAMUS**, &c. in Sermone Anglicano; Venerabilis Vir Thomas Turner Sacra Theologia Professor, Canonicus Residentiarius dictæ Ecclesiæ Cathedralis Sancti Pauli London. suggestum in medio Chori positum ingressus fuit. Ac ibidem Concionem venustam & eloquentem Sermone Latino ad Patres ac populum & Clerum præsentem habuit; accepto pro Themate Versu decimo sexto Capituli decimi secundum Evangelium sancti Matthæi, viz. Ecce mitto Vos ut Oves in medium luporum, estote igitur prudentes sicut serpentes, & innocentes ut Columbæ. Quâ quidem Concione finitâ, ac decantato per Ministros chori prædicti alio Psalmo sive Hymno, O Lord make thy Servant Charles, &c. Reverendissimus pater Dominus Gulielmus Cantuariensis Archiepiscopus antedictus Chorum prædictum ingressus, ac Domum Capitularem Ecclesiæ Cathedralis prædictæ ingressus, comitantibus eum cæteris Episcopis & Cleri Prælati Provincia sue Cantuariensis, pro Tribunali sedebat, assidentibus secum undiq; Episcopis Suffraganeis, viz. Gulielmo London', Summo Angliæ Thesaurario, Waltero Winton', Johanne Sarum', Roberto Coven' & Lichen', Godfrido Gloucestren', Josepho Exon', Johanne Asaphen', Gulielmo Bathon' & Wellen', Johanne Oxon', Georgio Hereforden', Matthæo Elien', Roberto Bristolien', Gulielmo Bangor', Johanne Roffen', Briano Cicestren', Johanne Petriburgen', & Morgano Landaven', respectivè Episcopis Personaliter comparentibus. Cui quidem Reverendissimo Patri
pro

pro Tribunali sedenti, post lectionem Brevis Regii per me Sacvillum Wade Notarium Publicum Registrarii Deputatum, eidem Reverendissimo Patri in hac parte inscripti & directi, Præfatus Reverendus Pater Dominus Gulielmus London Episcopus exhibuit & præsentavit Certificatorium super Executione Mandati citatorii & monitorii dicti Reverendissimi Patris alias sibi præfato Domino Episcopo London directi: cujus quidem Certificatorii tenor sequitur in hæc Verba, &c.

Reverendissimo in Christo Patri ac Domino Domino Gulielmo providentia divina Cantuariensi Archiepiscopo, &c.

Certificatorium
Domini Episcopi
London.

Quo quidem Certificatorio per me præfatum Sacvillum Wade Notarium Publicum antedictum de mandato dicti Reverendissimi Patris, publicè lecto, præconizatisq; publicè omnibus Reverendis Patribus Provincia Cantuariensis Episcopis Suffraganeis, in eodem Certificatorio nominatis, Præfatus Reverendissimus Pater Verbis latinis concept. Clerum Domus inferioris Convocationis in domo Capitulari prædicta coram eo & ceteris Prælatiis constitutum, monuit, quatenus ad solitum & consuetum Convētiū sui locum sese conferentes, unum Virum gravem, doctum, & Peritum de gremio suo provideant & eligant in eorum Prolocutorem sive Referendarium, Ipsumq; sic electum exhibeant & præsentent coram eodem Reverendissimo Patre aut ejus locum tenente sive Commissario die Veneris proximo, viz. decimo septimo die instantis Mensis Aprilis inter horas nonam & undecimam ante Meridiem ejusdem diei in Capella Regis Henrici septimi infra Ecclesiam Collegiatam Beati Petri Westminster. Quo Clero dimisso ad locum solitum, scilicet Capellam beatæ Mariæ Virginis ad finem Orientalem Ecclesiæ Cathedralis prædictæ ex parte Australi ejusdem, ad effectum

effectum eligendi unum gravem, doctum & peritum Virum de gremio suo in eorum Prolocutorem sive Referendarium, sese conferebant, & post aliquem tractatum inter dictum Reverendissimum Patrem & præfatos Reverendos Patres Confratres suos, Reverendissimus ad se accersiri fecit totum Cœtum domûs inferioris. Quibus comparentibus, Venerabilis Vir Thomas Wynnyff, sacre Theologiæ Professor, Decanus Ecclesiæ Cathedralis Sancti Pauli London. prædict. unus dictæ domus ad hoc electus, tam nomine suo quam totius Cœtus dictæ domûs dicto Reverendissimo Patri significavit se & ceteros dictæ domûs, Venerabiles Viros Ricardum Steward Legum Doctorem, Decanum Ecclesiæ Cathedralis Cicestren' in eorum Prolocutorem & Gilbertum Sheldon Sacre Theologiæ Professore Custodem Collegii omnium animarum fidelium defunctorum Oxon, in Præsentatorem dicti Prolocutoris respectivè unanimi consensu elegisse. Quibus sic gestis, præfatus Reverendissimus Pater pronunciavit omnes & singulos Decanos, Archidiaconos, Capitula, Cleri procuratores, ac ceteros quoscumq; ad interessendum istis die, hora & loco, in hujusmodi Sacra Synodo sive Convocatione monitos & citatos, & nullo modo comparentes, notoriè Contumaces, pœnis verò contumaciarum suarum hujusmodi usque ad & in prædictum decimum septimum diem instantis Mensis Aprilis, inter horas nonam et undecimam ante meridiem ejusdem diei, ad Ecclesiam Collegiatam beati Petri Westminster. prædictam, Reservando; prout in Scheda per eundem Reverendissimum Patrem lecta plenius continetur. Cujus quidem Schedulæ tenor sequitur & est talis. In Dei nomine Amen. Nos Gulielmus, &c. postremo dictus Reverendissimus Pater continuavit & Prorogavit præsentem Convocationem sive sacram Synodum, &c. omniaq; & singula Certificatoria istis die, hora & loco introducta & introducenda

Schedula
contra
Contumaces.

ducenda & non introducta, in eodem Statu quo nunc sunt usque ad & in prædictum decimum septimum diem instantis Mensis Aprilis inter horas nonam & undecimam ante meridiem ejusdem diei ad Ecclesiam Collegiatam beati Petri Westminster, prout in alia Schedulâ per eum lectâ, tenoris sequentis continetur, Viz. In Dei Nomine Amen, &c. Nos Gulielmus, &c.

Reverendissimo in Christo patri ac Domino Domino Gulielmo, &c.

Reverendissimo in Christo patri ac Domino Domino Gulielmo, &c.

Schedula
Continua-
tionis.
Certifica-
torium
Archi-Di-
aconi Cant
Certifica-
torium
Doctoris
Farmery
pro Dia-
cese Lin-
coln.

Secunda Sessio.

DIE Veneris, decimo septimo, Viz. die Mensis Aprilis, Anno Domini, 1640. inter horas nonam & undecimam ante meridiem, &c. Reverendissimus in Christo pater Dominus Gulielmus Cantuariensis Archiepiscopus, ac Reverendi patres Domini Gulielmus London', Walterus Winton', Johannes Sarum', Robertus Coven' & Lichen', Godfridus Gloucestren', Josephus Exon', Richardus Norwicen', Johannes Asaphen', Gulielmus Bathon' & Wellen', Johannes Oxon', Georgius Hereforden', Matthæus Elien', Robertus Bristolien', Gulielmus Bangor', Johannes Rossen', Brianus Cicestren', Johannes Petriburgen' & Morganus Landaven' respectivi Episcopi, in Capella Regis Henrici Septimi infra Ecclesiam Collegiatam Beati Petri Westminster congregati, primo & ante omnia preces Deo Optimo Maximo Flexis genibus humiliter fundebant; Ac finitis precibus, coram præfato Reverendissimo patre, unâ cum aliis Confratribus suis prædictis pro Tribunali sedente, in præsentia mei Sacvili Wade

B

Notarii

Notarii Publici, &c. comparuit personaliter Venerabilis Vir Robertus Newell Sacrae Theologiae Professor, Sub-Decanus Ecclesiae Collegiatae Beati Petri Westminster praedicti, secum stantibus Venerabilibus Viris, Thoma Wilson, Petro Heylyn, Jonathan Brown, Griffitho Williams, Gulielmo Haywood, & Georgio Aglionby Sacrae Theologiae Professoribus, & Ecclesiae Collegiatae Praedictae Prabendaris, ac Roberto Cooke Notario Publico, & nonnullis aliis testibus. Qui quidem Venerabilis Vir Robertus Newell Sub-Decanus antedictus, tunc & ibidem dixit, allegavit, protestatus est, & cetera fecit, prout in quadam papyri Schedulâ quam in manibus suis tunc & ibidem tenens publicè legebat in hæc Verba. In Dei Nomine Amen, Coram Vobis Notario Publico, publicâq; & Authenticâ Personâ ac testibus fide dignis hic praesentibus, Ego Robertus Newell Sacrae Theologiae Professor, Sub-Decanus Ecclesiae Collegiatae beati Petri Westmonasteriensis, &c. Et tunc dictus Reverendissimus Pater pro se & Confratribus suis, ac omnibus & singulis Praelatis & Clero suae Cantuariensis Provinciae in hac praesenti Convocatione sive Sacra Synodo Provinciali praesentibus ac Jus seu Interesse habentibus, protestatus est, & cetera fecit, prout in aliâ Schedulâ per eundem Reverendissimum Patrem lecta tunc & ibidem continetur, Viz. In Dei Nomine Amen, Cum hæc Ecclesia Collegiata beati Petri Westminster, &c. Praesentibus tunc & ibidem Venerabilibus Viris Domino Nathaniele Brent Milite & Legum Doctore, dicti Reverendissimi Patris Vicario in Spiritualibus generali, Domino Carolo Caesar Milite & Legum Doctore, Magistro Rotulorum Domini Regis & Curiae ad Facultates Commissario, & nonnullis aliis testibus, &c. Quibus sic gestis, prænominatus Reverendissimus Pater, post intervallum temporis ad eum accersiri jussit Praelatos & Clerum Domus

Protestatio Sub-Decani Westminster.

Protestatio Reverendissimi.

mūs inferioris. Qui copiosè sese præsentantes, exhiberi & sisti fecerunt Venerabilem Virum Richardum Steward Legum Doctorem, Decanum Ecclesiæ Cathedralis Ciceſtrenſis, in Prolocutorem sive Referendarium totius Cœtus Domūs inferioris prædictæ ultimæ Sessione electum; quem Venerabilis Vir Gilbertus Sheldon in præsentatorem ista Sessione etiam electus, Vice totius Cœtus prædictæ Domūs Inferioris, præmissâ facundâ & eloquenti Oratione per eum, exhibuit & præsentavit dicto Reverendissimo Patri & cæteris Episcopis prædictis. Ac factâ aliâ Oratione eleganti per eundem Prolocutorem sic præsentatum, præfatus Reverendissimus Pater Dominus Archi-Episcopus Cantuariensis antedictus de consensu Confratrum suorum prædictorum eundem Richardum Steward electum hujusmodi, & Electionem prædict. per aliam Orationem Latinam commendavit & approbavit: & tunc idem Reverendissimus pater in præsentis Reverendorum patrum Confratrum suorum prædictorum, ac Prolocutoris & cæterorum de cœtu Domūs Inferioris Convocationis, Serenissimum Dominum Nostrum Carolum Regem pro suo amore & favore speciali erga eos abundè commendans, Literam quandam suam Regiam, Sigillo magno Angliæ sigillatam, de Ordinando & Conſiciendo quasdam Constitutiones, Ordinationes sive Capitula, Statum Ecclesiasticum, Sinceram Religionem, & Utilitatem Ecclesiæ Anglicanæ, concernentes & tendentes, unâ cum nonnullis Provisionibus in eâdem Licentiâ insertis, produxit & exhibuit sub tenore sequenti, Viz.

Charles by the grace of God, &c. Quâ per me Sac-
vulum Wade in hac parte Actorum Scribam, publicè
tunc & ibidem altâ voce perlectâ, dictus Reverendissimus
Pater, & cæteri Episcopi secum assidentes, cum omni-
modâ Reverentiâ, Subjectione, & Humilitate gratian-
ter acceptarunt & receperunt, & Reverendissimus Pa-

Licentia
prima Do-
mini no-
stri Regis.

ter antedictus, præfatum Prolocutorem & alios de Domo Inferiori, Decanos, Archi-Diicanos, Capitula & Cleri Procuratores ibidem præfentes, Voluit ut ipsi inter se convenirent & maturè excogitarent de Subsidiis dicto Domino nostro Regi concedend' & Canonibus & Constitutionibus Statum Ecclesiasticum & Christi Religionem in Ecclesiâ Anglicanâ concernentibus, concipiendis, & quicquid inde senserint sive excogitaverint, in scriptis redigant, & coram ipso Reverendissimo & Confratribus suis Episcopis exhibeant. Tunc dimisso Prolocutore cum cætu Domûs inferioris prædictæ, habitosq; aliquandiu tractatu inter præfatum Reverendissimum & ceteros Episcopos Suffraganeos suos (ut præfertur) comparentes, Reverendissimus Pater de & cum consensu Reverendorum Confratrum suorum prædictorum continuavit & prorogavit præsentem Convocationem sive sacram Synodum Provincialem, in statu quo nunc est usq; ad & in Diem Mercurii proximum, VIZ. Vicesimum Secundum Diei instantis Mensis Aprilis, inter horas octavam & duodecimam ante meridiem ejusdem diei, ad hunc locum, cum ulteriori continuatione & prorogatione dierum & locorum (si oporteat) in ea parte fiendâ, prout in Schedulâ per eum lectâ plenius continetur; cujus quidem Scheda verus tenor sequitur in hac verba, In Dei Nomine Amen. Nos Gulielmus Providentiâ Divinâ Cantuariensis Archi-Episcopus, &c.

Tertia

Tertia Sessio.

DI E Mercurii Vigesimo Secundo, Viz. die Mensis Aprilis Anno Domini 1640. inter horas octavam & duodecimam ante meridiem ejusdem diei, Reverendissimus, &c. tractatum habuit cum eisdem citra negotia Parlamenti eis & aliis Domûs superioris ejusdem commissa & isto die expedienda, & consensu mutuo eorum decretum fuit per dictum Reverendissimum Patrem ut Reverendi Patres Dominus Gulielmus London', Robertus Coven' & Lichen', Johannes Asaphen', Georgius Hereforden', Gulielmus Bangor', Johannes Roffen', & Johannes Petriburgen', respectivè Episcopi antedicti, à Convocatione hujusmodi recederent, & sese ad negotia Parlamenti predicti subeund' applicarent: post quorum recessum, tractatu secreto inter Dominum Archi-Episcopum & reliquos Episcopos antedictos secum modò assidentes habito, Reverendissimus ad se accersiri fecit Prolocutorem unâ cum toto Cœtu Domûs Inferioris. Quibus coram eo, & ceteris Episcopis antedictis, modo (ut præfertur) secum assidentibus, comparentibus, notum fecit illas per magnas Expensas quæ per Regiam Majestatem ex causis urgentibus erogandæ sunt, & illa non minùs pericula quæ & Statum & Regnum Angliæ hoc tempore imminere, eisq; de causis & aliis per ipsum Reverendissimum expositis, se & Confratres suos predictos inter se tractasse & convenisse de sex Subsidiis & majori numero Subsidiarum (si aliquo tempore major numerus per Prælatos & Clerum Cantuariensis Provinciæ concessus ex Registro constaret) Illustrissimo Domino nostro Regi per ipsos concedendis juxta ratam quatuor Solidorum de qualibet
librà

librâ sub certis conditionibus & provisionibus in quodam libro desuper concipiendâ & de solvendo dicta subsidia in tam brevi tempore quàm aliqua unquam soluta fuere, eosdemq; rogavit, ut in Testimonium singularis eorum Obedientiæ & obsequii erga dictum Dominum nostrum Regem Concessioni hujusmodi ad Statum eorum præberent consensum & responsa darent; habito prius tractatu inter eos de eisdem. Ac tunc præfatus Reverendissimus Pater in Examinatores & Correctores Libri Subsidiorum prædicti. Reverendos Patres Dominos Josephum Exon', Matthæum Elien', & Robertum Bristolien', respectivè Episcopos, nominavit, & voluit Prolocutorem & totum Cœtum Domûs Inferioris prædictæ, ad eligendum quatuor vel sex graviores Viros de Gremio suo, ad idem negotium cum dictis Reverendis Patribus expediend. Modò, dimisso Prolocutore, cum toto cœtu prædicto, Reverendissimus Pater Dominus Archi-Episcopus Cantuariensis antedictus iterum secretè tractavit cum prædictis Reverendis Patribus; & post Temporis intervallum Dominus Prolocutor cum toto cœtu prædicto revertens, nomine suo & eorum dixit, quòd ipse & cœtus Domûs Inferioris de propositis diligentè tractarunt, & omnes eorum consensum libentissimè dederunt Concessioni dictorum sex subsidiorum, & majoris numeri, si major numerus per Clerum unquam concedebatur, juxta ratam quatuor Solidorum è qualibet librâ; seq; & totum Cœtum Domûs Inferioris prædictæ eligisse in Examinatores & Correctores Libri Subsidiorum prædicti. cum præfatis Dominis Episcopis Exon', Elien', & Bristolien', Venerabiles Viros Isaacum Bargrave & Thomam Wynnyff, Ecclesiarum Cathedralium Cant. & London. Decanos, necnon Thomam Paske & Thomam Wilson Archi-Diicanos London & Westminster, ac Dominum Johannem Lambe militem & legum Doctorem, Alma Curia Cantuariensis de Arcubus London.

London' Officialem, unum Procuratorum Clori Lincoln' & Petrum Heylyn sacra Theologia Professore, Procuratorem pro Capitulo Westminster. Quam Electionem Dominus Archi-Episcopus & Confratres sui Approbarunt. Et ut Deus, bonorum omnium largitor, hoc pr sens Parliamentum ita disponderet, quod omnes in eodem conventi in unum consentirent ad Dei Gloriam & Honorem, Ecclesie utilitatem & commodum, ac Regis & Regni pacem & tranquillitatem; præfatus Reverendissimus Pater Dominus Archi Episcopus, de mandato Regis voluit Divinam Dei Grati- am implorari, & formulam Precis ad eundem effectum per duos doctos & Graviores Viros Cætus Domus Inferioris ad hoc per Dominum Prolocutorem cum consensu totius Cætus dictæ Domus eligendos concipi. Quibus sic gestis, ac Prolocutore cum toto cætu Domus Inferioris prædictæ dimisso, Reverendissimus Pater antedictus Sermonem Secretum cum Episcopis Confratribus suis antedictis inivit, & post aliquem tractatum inter eos habitum, Prolocutor venit & dixit, se cum consensu Cætus Domus Inferioris prædictæ elegisse Venerabiles Viros Gulielmum Bray, & Johannem Olliver Sacra Theologia Professores, Sacellanos Domini Archi-Episcopi Cantuariensis prædicti, ad concipiendum formulam Precis prædictæ. Unde dimisso Domino Prolocutore, Idem Reverendissimus Pater & Confratres sui, Sermonem Secretum iterum inierunt, & Colloquium inter sese habuerunt. Postmodum vero Dominus Prolocutor cum quinq; & Sex illis Correctoribus sive Examinatoribus libri Subsidiarum dictæ domus Inferioris comparuit; & Reverendissimus Pater Dominus Archi-Episcopus antedictus Sermonem habuit cum eis de Capitulis Canonum concipiendis, & dixit se & Confratres suos de duobus Capitulis Everfionem sive Suppressionem Jesuitarum, Presbyterorum, & aliorum Romane Ecclesie

Ecclesia, concernentibus, tractasse, & de eisdem consentiisse, eademque in bonis Schedulis Papyri (ut apparuit) conscripta produxit; easdemque Schedulas dicto Domino Prolocutori tradidit, toto Cœtui Domûs inferioris proponendas, legend. & publicand. cum monitione quòd Copias earum cuicunque tradere minimè præsumat. Et si aliquis dictæ Domûs aliquid dictis Capitulis contrarium proponat, porrigat in Scriptis & tradat in manus Domini Prolocutoris, Domino Archi-Episcopo & ceteris Episcopis Domûs Superioris exhibiturum; ut ipsi de eisdem consultarent. Denique, eis dimissis, habitâque inter Dominum Archi-Episcopum & Episcopos prædictos communicatione de rebus Convocationis, Reverendissimus pater de & cum consensu Reverendorum Confratrum suorum prædictorum continuavit, &c. prout in Schedulâ per eum lectâ plenius continetur, cujus quidem Scheda verus tenor sequitur in hac Verba. In Dei Nomine Amen, Nos Gulielmus providentia divina Archi-Episcopus Cantuariensis, &c.

Substitu-
tio.

DIE Veneris 24. *Viz. die Mensis Aprilis Anno Domini 1640. Reverendissimus in Christo pater & Dominus Dominus Gulielmus providentiâ divinâ Cantuariensis Archi-Episcopus, &c. In quadam Conclavi superiori infra Manerium suum de Lambeth in Comitatu Surria, in præsentia mei Sacvilli Wade Notarii Publici, &c. substituit, & loco suo constituit Reverendos in Christo Patres ac Venerabiles Confratres suos Dominos Godfridum Gloucestren', & Johannem Oxon', respectivè Episcopos, ad interessendum & Præsidendum Vice, Loco, & Autoritate suis in Sacra Synodo sive Convocatione Prælatorum & Cleri Cantuariensis Provincia, Vigore & Autoritate Brevis Regii in hac parte directi, decimo quarto, Viz.*

Viz. die instantis Mensis Aprilis (Divinâ favente clementiâ) in Domo Capitulari Ecclesiæ Cathedralis Sancti Pauli London, inchoat. & celebrat. ac de die in diem usq; ad & in instantem Vicesimum quartum diem Mensis Aprilis prædicti inter horas secundam & quartam post meridiem ejusdem diei, ad Capellam Regis Henrici Septimi infra Ecclesiam Collegiatam divi Petri Westminster. continuat. & prorogat. nec non ad communicandum & tractandum cum Venerabilibus Confratribus suis dictæ Cantuariensis Provincia Co-Episcopis ac Prælatiis & Clero ejusdem suæ Provinciæ de & super omnibus & singulis causis & negotiis quæ in eâ Sacra Synodo Provinciali sive Convocatione proponenda, tractanda, & communicanda fuerint: Atq; hujusmodi Convocationem sive Sacram Synodum Provinciale à dicto 24to die Mensis Aprilis usq; ad & in diem Sabbathi 25 diem ejusdem Mensis Aprilis ad Capellam Regis Henrici Septimi prædictam continuand. & prorogand. Ceteraq; omnia & singula alia faciend. exercend. & expediend. quæ in eâ parte necessaria fuerint seu quomodolibet opportuna & requisita Fraternitatibus suis conjunctim & divisim commisit. Verces suas & plenam in Domino concessit facultatem.

Quarta Sessio.

DIE Veneris 24. *Viz. die Mensis Aprilis Anno Domini & loco prædictis, inter horas secundam & quartam post Meridiem ejusdem diei, in præsentia mei Sacvili Wade Notarii Publici, &c. Reverendus pater Dominus Godfridus Gloucestren' Episcopus in Substitutione Reverendissimi in Christo Patris Domini Gulielmi Cantuariensis Archi-Episcopi antedicti, unâ cum Reverendo patre*
C
Domino

Domino Johanne Oxon Episcopo nominatus, &c. intimatâ Substitutione hujusmodi per me præfatum Notarium Publicum, assumpsit in se Onus dictæ Substitutionis, & decrevit procedendum fore juxta tenorem, vim, formam, & effectum ejusdem; & sedendo legit Schedulam Continuationis, &c. in Scriptis, &c. Prorogando & Continuando hujusmodi Convocationem in Statu quo nunc est, usque ad & in diem præsentis Mensis Aprilis inter horas Secundam & quartam post meridiem ejusdem diei, ad hunc locum prout latius in Scheda per eum lecta continetur. Cujus quidem Schemulæ verus tenor sequitur & est talis. In Dei Nomine Amen, Nos Godfridus, permissione Divina Gloucestren' Episcopus, &c.

Quinta Sessio.

DI E Sabbathi 25. *Viz. die Mensis Aprilis Anno Domini 1640, inter horas secundam & quartam post meridiem ejusdem diei, Reverendissimus in Christo pater, &c. [ut supra] Sermone cum eisdem Reverendis patribus confratribus suis de libro Subsidiarum per quosdam Episcopos & alios electos Domûs inferioris examinando & corrigendo, & cum Confratrum suorum prædictorum consensu decrevit libitum fore aliquibus duobus Episcopis cum quatuor à Cætu Domûs Inferioris aliquo tempore ad dictum librum examinandum & corrigendum; & ulterius pro meliori expeditione negotiationum hujus Sacra Synodi, idem Reverendissimus, cum consensu & assensu eorundem confratrum suorum Ordinavit, quod nullus Episcopus aut aliquis à Clero, Copiam Canonis aut partem Canonis proposituri & tractaturi, exscribere aut de aliquâ hujusmodi*

jufmodi Canone foras fabulare præfumpferit ; do-
 nec hâc Convocatione five fâcra Synodo plenariè &
 finaliter affenfum & fâcrâ Regiâ Majeflate approba-
 tum erit, fub pœnâ Sufpenfionis cujuflibet è clero
 per tres Menfes, & Synodicæ monitionis pro
 quolibet Prelato qui ita peccaverit ; prout in Aëtû
 Synodico fequenti continetur, viz. — Quibus fic ge-
 ffis Dominus Prolocutor venit cum quinque aliis è
 Domo Inferiori, & Reverendifsimus eis declaravit
 iftum Aëtum Synodicum præcedentem, & voluit
 eundem Dominum Prolocutorem ad declarandum
 iftum Aëtum toto Cætui dictæ Domûs, & habito
 tractatu per Reverendifsimum cum eodem Domino
 Prolocutore de Canonibus componendis & facien-
 dis, idem Reverendifsimus dimifit Prolocutorem.
 Quo dimiffo, Reverendifsimus iterum Sermonem
 habuit cum dictis Dominis Epifcopis Confratribus
 fuis ; & præfatus Dominus Prolocutor cum Sex
 illis Correctoribus five Examinatoribus Subfidio-
 rum per Domum Inferiorem ad hoc electis mox re-
 vertebat, & dixit fe & totum Cætum Domûs Infe-
 rioris confenfum & affenfum fuos confectioni dicti
 Aëtûs Synodici adhibuiffe, & eundem unanimi-
 ter approbaffe ; & tunc dictus Dominus Prolocu-
 tor in fâcras manus Domini Reverendifsimi quan-
 dam formulam præcis per Doctores Bray & Olliver
 conceptam, omni cum reverentiâ tradidit in formâ
 fequenti, viz. Omnipotens & Sempiterne De-
 us, &c. Quam formulam præcis Reverendifsimus &
 Confratres fui prædicti hoc Verbo (Anglicanæ) ad-
 dito, approbarunt, & Reverendifsimus cum eorum
 confenfu dictam præcem in Convocatione quotidie ha-
 bendam, & immediate ante benedictionem legen-
 dam, fore decrevit. Tunc dimiffo Domino Pro-
 locutore Reverendifsimus poft aliquem tractatum
 inter fe & Confratres fuos prædictos habitum, con-
 tinuavit

tinuavit & prorogavit presentem Convocationem si-
ve Sacram Synodum Provinciale in statu quo
nunc est usq; ad & in diem Mercurii Vicefimum
viz. diem instantis Mensis Aprilis inter horas se-
cundam & quartam post meridiem ejusdem diei ad
hunc locum, prout in Schedulâ per eum lectâ conti-
netur; cujus quidem Schedulæ verus tenor sequitur
in hac verba, In Dei Nomine Amen. Nos Gu-
lielmus, Providentiâ Divinâ Cantuariensis Ar-
chi-Episcopus, &c.

Sexta Sessio.

DIE Mercurii Vigesimo Nono, viz. die
Mensis Aprilis, Anno Domini 1640. &c.
inter horas secundam & quartam post meridiem,
&c. Reverendus in Christo Pater Dominus Guli-
elmus, &c. Bathon' & Wellen' Episcopus, Reveren-
dissimi in Christo Patris Domini Gulielmi Cant.
Archi-Episcopi, &c. Commissarius, inter alios con-
junctim & divisim legitime constitut. presentatis
litteris Commissionibus dicti Reverendissimi Pa-
tris, eisq; per me prefatum Notarium publicè le-
ctis, acceptavit in se Onus Executionis earundem
litterarum Commissionum, & decrevit proceden-
dum fore juxta tenorem, vim, formam, & effe-
ctum earundem; & immediatè idem Reverendus
Pater Commissarius antedictus judicialitèr sedens,
Continuavit, &c. Prout in Schedulâ per eum lectâ
continetur, cujus quidem Schedulæ verus tenor se-
quitur in hac Verba, Viz. In Dei Nomine
Amen. Nos Gulielmus, Permissione Divinâ
Bathon' & Wellen' Episcopus, &c.

Septima

Septima Sessio.

DIE Sabbathi Secundo, viz. die Mensis Maii Anno Domini 1640. inter horas secundam & quartam post meridiem ejusdem diei in Capella Regis Henrici Septimi infra Ecclesiam collegiatam Beati Petri Westminster, in præsentia mei Sacvili Wade Notarii publici, &c. Reverendus Pater Dominus Johannes Asaphensis Episcopus Reverendissimi, &c. Commissarius, inter alios, conjunctim & divisim, &c. constitutus, præsentatâ Commissione per me Sacvilum Wade Notarium publicum antedictum, lectâque, &c. ob honorem dicti Reverendissimi Patris assumpsit in se Onus dictæ Commissionis, & decrevit procedendum fore juxta tenorem, Vim, formam, & Effectum ejusdem; & sedendo legit Schedulam continuationis, &c. in Scriptis, &c. prorogando &c. prout in Schedulâ per eum lectâ continetur; cujus quidem Schedulæ verus tenor sequitur & est talis, Viz. In Dei Nomine Amen. Nos Johannes, Permissione Divinâ Asaphen' Episcopus, &c.

Octava Sessio.

DIE Martis quinto, Viz. die mensis Maii Anno Dom. 1640. inter horas secundam & quartam post meridiem, &c. Reverendus in Christo Pater Dominus Johannes Sarum Episcopus in Commissione Reverendissimi, &c. inter alios conjunctim & divisim nominatus, &c. præsentatâ commissione hujusmodi, &c. & lecta, &c. assumpsit, &c. prorogando,

prorogando, &c. prout in Schedulâ per eum lectâ continetur; Cujus, &c. In Dei Nomine Amen. Nos Johannes, &c. Sarum Episcopus, &c.

Nona Sessio.

DIE Sabbathi Nono, viz. die Mensis Maii Anno Dom. 1640. &c. inter horas secundam & quartam post meridiem ejusdem Diei, in Capella, &c. Reverendus in Christo pater Dominus Johannes Sarum Episcopus & Commissarius sive locum-tenens antedictus pro Tribunali sedens, Assidentibus secum Reverendis, &c. Episcopis, hujusmodi Convocationem sive sacram Synodum Provinciale in statu, &c. una cum ulteriori continuatione & prorogatione dierum extunc sequentium, & locorum si oporteat in ea parte fiendis, continuavit & prorogavit, prout in Schedulâ per eum lectâ plenius continetur; Cujus quidem Schedulæ verus tenor, &c. In Dei nomine Amen, Nos, &c. Sarum Episcopus, &c.

Decima Sessio.

DIE Mercury 13°. viz. die Mensis Maii Anno Dom. 1640. inter horas secundam & quartam post Meridiem ejusdem diei, Reverendissimus in Christo Pater Dominus Gulielmus Cant. Archi-Episcopus, &c. pro Tribunali sedens, assidentibus secum, &c. post tractatum habitum cum eisdem

eisdem de temporis instabilitate ac impetu & tumultu sordidissima populi sortis prope & circa Civitatem London & suburbia ejusdem nuperrimè confluentis, ac iniquè & hostiliter sese gerentis; Voluit & mandavit Prolocutorem & totum Cætum Domus Inferioris ad se accersiri. Quibus comparentibus, Reverendissimus, in presentis Reverendorum Patrum Confratrum suorum, significavit & intimavit, Serenissimum Dominum nostrum Carolum Regem ex gratiâ sua Speciali Licentiam sive Commissionem magno Sigillo suo Angliæ sigillatam de Ordinando & Conficiendo quasdam Constitutiones, Ordinationes sive Canones, Statum Ecclesiasticum concernentes, renovandam curasse, ad Regium suum beneplacitum duraturam, & eandem Licentiam sive Commissionem produxit & exhibuit sub formâ Verborum sequentium, viz.

Charles by the Grace of God, &c. Quâ per Licentia
me præfatum Sacvillum Wade in hac parte Acto- secunda
rum Scribam sive Registrarii Deputatum publicè Domini
tunc & ibidem altâ voce perlectâ, dictus Reveren- nostri Re-
dissimus Pater & ceteri Episcopi secum assidentes gis.
& Clerus Domus Inferioris prædict. sese coram eis
exhibentes, cum omni Reverentia, Obedientiâ,
Subjectione, & Humilitate gratis Animis accepta-
runt & receperunt: & Reverendissimus Pater ante-
dictus Prolocutorem & alios de Domo Inferiori,
Decanos, Archi-Diaconos, Capitula & Cleri pro-
curatores ibidem presentes, voluit, ut ipsi inter se
convenirent & excogitarent de Benevolentia sive
extraordinaria Contributione dicto Serenissimo Do-
mino nostro Regi concedendâ; & deinde de Cano-
nibus & Constitutionibus Statum Ecclesiasticum,
& Ecclesiæ Utilitatem concernentib', componend',
faciend', & inter se consentiend'. Et ut ipsi, pro
meliori

meliori & celeriori ipsius negotii expeditione, quos-
dam graviores & doctiores Viros de gremio suo eli-
gerent, dictum negotium de Canonibus concipiendis
Subitur'. Et subsequenter Magister Willielmus
Fisher Notarius Publicus & Domus Inferioris Actu-
arius, mihi prefato Notario certificavit in fidem No-
tarii, Venerabiles Viros, Dominum Prolocuto-
rem, Isaacum Bargrave, Thomam Wynnyffe,
& Richardum Bailly Sacre Theologie respectivè
Professores, & Decanos Ecclesiarum Cathedralium
Cant. London, & Sarum, Thomam Paske, An-
dream Binge, & Radulphum Brownrigg Sacre
Theologie Professores, Archi-Diaconos London.
Norwicen' & Coven', Johannem Montfort &
Gilbertum Sheldon Sacre Theologie Professores;
Procuratores pro Capitulis Ecclesiarum Cathedrali-
um Divi Pauli London', & Gloucester', necnon
Dominum Johannem Lambe Militem & Le-
gum Doctorem, Benjaminum Laney, Thomam
Turner, Edwardum Franklin, Sacre Theologie
Professores, & Gilbertum Ironside Sacre Theo-
logie Baccalaureum, Procuratores pro Clero Lin-
coln', Winton, Norwicen', & Bristolien', esse electos
cum consensu totius Domus ad effectum predictum.
Tunc dimisso Domino Prolocutore, cum toto Cœtu
Domus Inferioris, Reverendissimus Colloquium ha-
buit cum confratribus suis, ut excogitarent impi-
mis de Canonibus Novis concipiendis, & deinde
de Veteribus Canonibus percontandis & exami-
nandis; ad effectum eisdem addendi, vel eos supplen-
di, si hujusmodi sacre Synodo expedire videatur. Et
insuper hortatus est idem Reverendissimus, ut For-
ma libri Articularum in qualibet Visitatione post-
hâc Ministrandorum & de Consecratione Ecclesi-
arum, Capellarum, & Cœmeteriorum concipi-
antur; & post res ita gestas, predictus Reveren-
dissimus

diffimus Pater, jussit Prolocutorem coram se & Confratribus suis vocari. Quo Prolocutore, cum Ocho Decanis eum comitantibus, comparente, idem Reverendissimus eos Voluit, ad conveniendum die Veneris proximo, tempestive, & ad tunc tractandum cum toto Cætu Domus Inferioris citra Benevolentiam sive Contributionem voluntariam dicto Domino nostro Regi concedendam: Et ut ipsi Firmam Articulorum in Visitationibus impofterum ministrandis concipiant. Deniq; eis dimissis, Idem Reverendissimus Pater cum Consensu Confratrum suorum, continuavit, &c. prout in Scheda per eum lecta, &c.

The Convocation being call'd by the King's Writ under the Great Seal, doth continue until it be dissolv'd by Writ or Commission under the Great Seal, notwithstanding the Parliament be dissolved--14 Maij, 1640. Jo. Finch, C.S. H. Manchester, John Bramston, Edward Littleton, Ralphe Whitfeld, Jo. Bankes, Ro. Heath.

The Opinion of the Lord Keeper, and other the Judges, and the King's Council, for the Continuance of the Convocation.

Sessio XI.

DI E Veneris 15°, Viz. die Mensis Maij, Anno Dom. 1640. inter horas secundam & quartam post Meridiem, Reverendissimus, &c. Confratribus suis notum fecit, Quod Serenissimus Dominus Rex honorandum Virum Dominum Henricum

ricum Vane Militem, Unum è Secretariis suis Principalibus & Thesaurarium Hospitij sui Regij, tanquam Nuncium specialem ad hanc Domum destinavit; eundemq; honorandum Virum in Capellâ ex parte Australi hujus loci presentem esse. Ideoq; Reverendissimus Pater, cum Consensu confratrum suorum, ad se accersiri fecit dictum honorandum Virum, nec non Dominum Prolocutorem & totum Cœtum Domus Inferioris. Qui quidem honorandus Vir domum hanc Convocationis sive Sacra Synodi primò intravit, ac deinde Dominus Prolocutor cum toto Cœtu Domus Inferioris; & Dominus Archiepiscopus, istius Sacra Synodi Præses, eundem honorandum Virum benigne recepit, & in Cathedra è manu Sinistrâ positâ eum locavit. Et tunc idem honorandus Vir eisdem Reverendissimo patri ac Prælati & Clero, brevi Oratione declaravit se fuisse per Dominum Regem ad hanc Domum missum ad Regiam suam voluntatem eidem narrandum, Scilicet, Quod idem Dominus noster Rex Licentiam sive Commissionem de Ordinando Canones & Constitutiones Ecclesiasticas, pro meliori gubernatione Ecclesiæ, ad Dei gloriam, Regis honorem, & totius hujus Regni pacem (ui speratur) huic sacra Synodo, ex gratia Speciali, concedens, cum Dominis è privato suo consilio consultum habuit, an hujusmodi sacra Synodus ad hujusmodi Canones & Constitutiones faciendum procederet necne. Et dicti Domini unanimi Consensu (nullo eorum dissentiente) Vota eorum exhibuerunt, & tanquam maxime necessarium adjudicarunt, ut Sacra hæc Synodus ad istos Canones juxta potestatem eidem Synodo datam, faciendum & concipiendum procedat. Ideoq; dictus honorandus Vir nomine & ex parte dicti Domini Regis hortatus est, ut tales Canones in brevi tempore fiant, quales Ecclesiæ & presenti

præsenti huic statui maximè utiles sint. Et sub-
 junctâ aliâ brevi Oratione per Reverendissimum
 Patrem antedictum Pralatis & toto Cœtui prædicto,
 cum monitione Nomine dicti Domini Regis, ut
 nullus eorum à dictâ Sacrà Synodo discedat, donec
 omnia juxta mandatum Regium prædictum perim-
 pleantur, idem Reverendissimus Pater, unâ cum
 dicto honorando Viro, à dictâ Sacrà Synodo ad
 Consilium ineund' cum Domino Rege apud White-
 hall recessit: Et post aliquem tractatum inter Do-
 minos Episcopos antedictos habitum, Reverendus
 Pater Dominus Johannes Sarum Episcopus & dicti
 Reverendissimi Patris Commissarius sive locum-
 tenens, continuavit, &c. prout in Scheda per
 eum lecta continetur, Cujus, &c.

Sessio XII.

DIE Sabbathi 16^o, viz. die mensis Maij;
 Anno Domini 1640, inter horas Octavam
 & Undecimam ante Meridiem, &c. Reverendissi-
 mu, &c. communicavit cum eisdem Dominis Epi-
 scopis. Et inter hujusmodi communicationes com-
 paruit Dominus Prolocutor, cum Decanis Cant' &
 London. & tradidit in Manus dicti Reverendif-
 simi Patris, quasdam Schedulas Papyri continentes
 quadam Capitula Canonum per eum Prolocutorem
 & totum clerum Domûs Inferioris excogitat.
 Quibus receptis, & Domino Prolocutore dimisso,
 Reverendissimus Dominus Præsides colloquium habuit
 cum Episcopis antedictis citra exiguitatem Exhibi-
 tionum è clero indigentiori, in detinendo ab eis,
 per Proprietarios & eorum Firmarios, Oblatio-
 nes & Salaria sive Feoda Ecclesiastica, pro
 Dd 2 Mulierum

Mulierum post partum Purificationibus, Matrimoniorum Solemnizationibus, & de Mortuorum Sepulturis, & etiam de magnâ illâ Injuriam Clero per Laicos illatâ in eligendo tales Gardianos & Clericos Parochiales, qui eos opponant & inquietant ad maximum eorum præjudicium & incommodum. Ad quem quidem clerum de hujusmodi injuriis levand. Reverendissimus Pater Præses antedictus, de & cum Consilio & assensu Prælatorum confratrum suorum, Negotium hujusmodi Attornato Generali Domini Regis significandum fore decrevit; ut ipse de aliquo remedio pro eis in hac parte curaret. Tunc lecto libello sive forma Concessionis Benevolentiam sive contributionis voluntariam, præfatus Reverendissimus Pater & Reverendi Patres antedicti de benevolâ contributione quatuor Solidorum singulis Annis per Sexennium proximè futurum solvendorum de qualibet librâ annualis redditûs cujuslibet Beneficii infra Provinciam Cantuariensem, juxta ratam & taxam eorundem in libris Primitiarum fructuum Domini nostri Regis sub certis conditionibus & Provisionibus in isto libro sive Formâ contributionis Specificatâ, tractatum habuerunt, & desuper consenserunt. Et ideo idem Reverendissimus Pater, cum Consensu Confratrum suorum, Dominum Prolocutorem, unâ cum Sex illis Assessõribus sive Examinatoribus Domûs Inferioris pro Subsidiarum examinatione electis, ad se accersiri fecit. Quo quidem Prolocutore, unâ cum quinque è dictis Assessõribus, scilicet Venerabilibus Viris, Isaaco Bargrave, Thomâ Wynnyff, Thomâ Paske, Thomâ Wilson, & Domino Johanne Lambe, Milite, hanc Domum superiorem intrante, Reverendissimus Pater Præses antedictus eidem Prolocutori intimavit, se & Confratres suos de Benevolentia sive Contributione voluntaria

voluntaria dicto Domino Regi concedendâ tractasse, & inter sese consentiisse de concedendo quatuor Solidos è qualibet libra cujusq; Beneficij juxta ratam sive taxam, in libris primitiarum Regiarum singulis Annis per Sexennium proximum solvendos, juxta formam sive librum Concessionis desuper conceptum. Quam Formam, Reverendissimus Dominus Praeses, in manus Domini Prolocutoris, per Eum & totum Cœtum Domus inferioris tractand' & consentiend' unâ cum Copia Canonis contra Recusan' tradidit. Tunc, dimisso Domino Prolocutore, habitq; aliquo tractatu inter Reverendissimum Dominum Praesidem, & Confratres suos, ad mandatum Reverendissimi Domini Praesidis in domum Inferiorem ego præfatus Notarius descendebar; & Dominus Prolocutor mihi tradidit Formam sive Librum Concessionis prædict', & dixit se & totam Domum inferiorem super istam Benevolentiam sive Contributionem voluntariam considerasse, & de eâdem unanimiter consentiisse. Quâ per me Receptâ, ad Domum Superiorem instanter revertabar, & humiliter omnia per Dominum Prolocutorem mihi in mandatis data significavi & intimavi. Deinde Dominus Prolocutor, cum Decanis Cant' & London. Domum Superiorem intravit, & cum omni Obedientiâ, dicto Reverendissimo Canonem pro Brevis è Curia Cancellaria impetrand' De Excommunicatis capiendis tradidit. Unde, dimisso Domino Prolocutore, habitq; tractatu super isto Canone, Reverendissimus Pater Dominus Praeses continuavit, &c. prout in Schedulâ, &c. Tenor etiam Instrumenti dicta benevole Contributionis sequitur & est talis, viz. Augustissimo & Serenissimo Domino nostro Carolo Dei gratia Angliæ, &c.

Sessio

Sessio XIII.

DIE Lunæ 18°. Viz. die Mensis Maij, Anno Domini 1640. inter horas nonam & undecimam ante merid', &c. Reverendissimus, &c. post tractatum cum eis [Reverendis Patribus] habitum, ad se accersiri fecit Dominum Prolocutorem cum toto Cætu Domûs Inferioris: Quibus mox comparentibus intimavit, & eis publicè per me præfatum Notarium legi fecit, Literas quasdam Regias sibi & recolendis patribus Confratribus suis & toto Clero in hac Sacrà Synodo congregatis directas sub Signaculo suo tenoris sequentis. Charles R. Most Reverend Father in God, &c. Deinde, præfatus Reverendissimus Pater Prælati & Clero antedictis haud inelegantè locutus est, Quòd multa querela contra plures è Clero, & nominatim contra Doctorem Beale unum è Domo Inferiori hujus Convocationis ultimo Parlamento exhibita fuerunt, pro Verbis in eorum prædicationibus prolatis, quæ Statum hujus Regni perturbârunt & inquietârunt. De quibus idem Reverendissimus Pater protestatus est, se nunquam ante tempus prædictum audivisse; dicit tamen si antea de eisdem audisset, se velle ea examinare & partes culpabiles punire coram Commissariis Regiis ad causas Ecclesiasticas, sicut punirentur in hac Convocatione sive Sacrà Synodo, si eadem aliquo tempore competenti continuaret. Sed post hanc Convocationem dissolutâ & dies Privilegiorum finitos, publicè promisit partes prædictas vocare coram Commissariis Regiis antedictis, & juxta Juris exigentiam & eorum demerita contra eos procedere. Tunc dimisso Prolocutore,

cutore, mox cum Decanis Cant' & London' & Archidiaconis Middlesex' & Roffen' revertēbat, & Canones concernentes Recusantes penes Reverendissimum antedictum dimittens, querelatus est Breve de Subpœna è Curia Scaccarij esse executum in Doctorem Burgis Archi-Diaconum Roffen', & petiit privilegium Convocationis. Unde Reverendissimus Pater Dominus Archi-Episcopus antedictus voluit ipsum Prolocutorem cum consensu Domus Inferioris, ad concipiendum Actum, quid eis in hoc negotio expedire videbitur, & ad transmittendum istum Actum ad hanc Domum Superiorem, ut ipse & Confratres sui de eodem considerent. Modò, dimisso Prolocutore, & habito tractatu inter præfatum Reverendissimum Patrem & Confratres suos, Reverendissimus cum eorum consensu elegit Dominos Episcopos Elien' & Bristolien' ad consulendum cum utroq; Dominorum Justiciariorum primariorum citra certas clausulas & Verba in Canonibus antedictis contra Recusantes; & sic facta fuit continuatio hujus Convocationis sive sacra Synodi Provincialis in statu quo nunc est, usq; ad & inter horas quartam & sextam post meridiem, &c. prout in Scheda, &c.

Sessio XIV.

IN Pomeridiano ejusdem diei in loco prædicto inter horas assignatas, Reverendus, &c. Asaphen' Episcopus ac Commissarius sive locumtenens in hac parte legitime deputatus, assidue secum, &c. in præsentia, &c. Continnavit, &c. prout, &c.

Sessio

Sessio XV.

DIE Martis 19°. *Viz. die Mensis Maij 1640.*
In Capella Regis Henrici Septimi infra, &c.
inter horas Nonam & Undecimam ante Meridiem,
&c. Reverendissimus, &c. pro tribunali sedens,
assidentibus secum prædictis Reverendis Patribus,
præfatus Reverendus Pater Dominus Matthæus Eli-
en' Episcopus, certificavit se & Dominum Episco-
pum Bristolien' consuluisse cum Domino Edwardo
Littleton Milite, Domino primario Justiciario Curie
ad Placita Domini Regis, juxta assignationem hester-
no die factam, circa clausulas & Verba in Canone
contra Recusantes facto, & idem Dominus Justi-
ciarius consilium dedit, ut quadam verba in isto
Canone per Dominum Episcopum Elien. specificata,
expungentur, & alia verba magis apta in loco eo-
rum conscribentur. Quibus de mandato Reveren-
dissimi, cum consensu confratrum suorum, conscrip-
tis, Reverendissimus voluit ad se accersiri Domi-
num Prolocutorem cum quibusdam aliis: è Cætu Do-
mus Inferioris, qui intravit Domum Superiorem
cum Novem dictæ Domus Inferioris, & Reveren-
dissimus eis declaravit alterationes Verborum in
Canone prædict. de consilio & judicio Domini
Justiciarii primarij prædict' factas; & tradidit
istum Canonem dicto Domino Prolocutori, per eum
& totam Domum Inferiorem considerand' & con-
sentient'. Tunc traditâ per Dominum Prolocutorem
cum omni humilitate & reverentiâ, in Sacras manus
Reverendissimi, Schedulâ continente principium &
conclusionem ad Articulos Potestatis Regiæ, Domi-
nus Prolocutor dimissus fuit, & Reverendissimus

una

unâ cum Confratribus suis communicavit & consulum habuit citra Principium & Conclusionem ad Articulos Potestatis Regiæ; & post consultationem cum eis habitam, Reverendissimus cum unanimi eorum consensu aliqua verba addidit & aliqua expungit. Quibus sic factis, Prolocutor revertēbat, & tradidit Reverendissimo quendam Canonem cum consensu Domûs Inferioris contra Socinianos (ut asseruit) factum, &c. Et Reverendissimus ei retradidit Schedulam continentem principium & conclusionem ad Articulos Regiæ potestatis, sic (ut præfertur) in aliquo mutatos, per eum & Domum Inferiorem tractandâ. Prolocutore dimisso, Reverendissimus unâ cum confratribus suis Consilium habuit super istum Canonem contra Socinianos, & post aliquem tractatum & emendationem istius Canonis, Reverendissimus cum Consensu Confratrum suorum continuavit, & prorogavit, &c. Usq; ad & in diem Mercurij Viceesimum, viz. diem instantis Mensis Maij inter horas Octavam & Undecimam ante Meridiem, &c. in hunc locum, prout in Scheda, &c.

Sessio XVI.

DIE Mercurij 20°. Viz. die Mensis Maij Anno Domini 1640. inter horas Octavam & Undecimam ante Meridiem ejusdem diei, Reverendissimus, &c. Præses hujus Convocationis sive sacra Synodi, &c. tractavit cum Episcopis, & post multum temporis contritum, consenserunt super Canone contra Socinianos, ultima Sessione tractatâ, & super formâ Juramenti, &c. hac Sessione per Reverendissimum produclâ. Deinde, de mandato

E e

Reve-

Reverendissimi, Prolocutor cum Sex aliis à Domo Inferiori Domum Superiorem intravit, & Reverendissimus ei tradidit dictum Canonem & formam Juramenti prædicti per totum Cætum Domus Inferioris considerandum, tractandum, & consentiendum: Tunc, dimisso Prolocutore, Reverendissimus mandavit Canonem pro Collectione contributionis voluntariæ per me præfatum Notarium legi, Quibus lectis, denuò comparuit Dominus Prolocutor cum duobus aliis à Cætu Domus Inferioris, & in manus Reverendissimi tradidit Schedulam pro Literis de Excommunicatis capiendis contra Recusantes extrahend. Eoq; dimisso, habitoq; tractatu cum Episcopis, Reverendissimus continuavit & prorogavit, &c. Usq; ad & in diem Jovis Vicesimam primam, viz. diem, &c. inter horas Nonam & Undecimam ante Meridiem, &c. prout in Schedulâ per eum lecta continetur, cujus quidem Schedulæ verus tenor sequitur, &c.

Sessio XVII.

DIE Jovis 21°. Viz. die Mensis Maii, Anno Domini 1640. inter horas Nonam & Undecimam ante Meridiem ejusdem diei, Reverendissimus, &c. post aliquem tractatum cum eis [Episcopis] mandavit Prolocutor, & totum Cætum Domus Inferioris ad se accersiri. Quibus comparentibus, Reverendissimus coram eis produxit Literas quasdam Regias recolendis Patribus & toti Clero in hujusmodi Convocatione congregato directas, sub Signaculo suo tenoris sequentis, Viz. CHARLES R. Most Reverend Father in God, &c. Quibus per me Notarium antedictum publicè perlectis,

lectis, Reverendissimus eis intimavit se & Confratres suos unanimi consensu fecisse quosdam Canones sive Ordinationes juxta potestatem in dictis Literis mentionat, eis & toti Clero concessam, pro collectione, levatione, solutione, & computatione benevolentie sive contributionis voluntaria Regia sua Majestati per eos data, & Copiam dictorum Canonum dicto Domino Prolocutori tradidit, per Clerum Domus Inferioris approband & consentiend. Tunc, eis dimissis, Reverendissimus & Confratres sui tractarunt & inter se consultarunt de quodam Canone sive Declaratione per Domum Inferiorem eis transmissio, concernente quosdam Ritus sive gestus in Ecclesiis observandos; & post aliquem tractatum desuper habitum, Prolocutor cum quibusdam aliis e Domo Inferiori revertebat, & presentavit Canones sive Ordinationes, ut supra, pro collectione benevolentie ei traditas, & humiliter significavit totam Domum Inferiorem unanimi consensu eosdem approbasse. Unde, dimisso Prolocutore, habitoque tractatu inter Reverendissimum & Confratres suos de alio Canone per Dominum Prolocutorem eidem Reverendissimo tradito, Reverendissimus cum consensu Confratrum suorum presentem Convocationem sive sacram Synodum Provinciale continuavit, &c. Usque ad & inter horas secundam & quartam post meridiem, &c. hujus diei, prout in Schedulâ per eum lectâ, &c.

Ordinationes aliquot Synodales factæ 21 die
Mensis Maij, &c.

Sessio XVIII.

IN Pomeridiano ejusdem diei in loco prædicto inter horas assignatas, Reverendus pater Dominus Morganus Landavensis Episcopus ac Commissarius sive Locum-tenens in hac parte legitime deputatus in præsentia mei, &c, continuavit, &c. Usq; ad & in diem Veneris 22. diem, &c. inter horas 9. & 11, &c. prout in Schedulâ, &c.

Sessio XIX.

DIE Veneris 22°. Viz. die Mensis Maij Anno Domini 1640. in Capella, &c. inter horas nonam & undecimam ante Meridiem, &c. Reverendissimus, &c. Præses hujus sacra Synodi, assidentibus secum Reverendis Patribus, &c. tractavit & communicavit cum eisdem recolendis Patribus Confratribus suis citra Canonem pro receptione Sacra Eucharistiæ, & locatione Sacra Mensæ; & inter hujusmodi tractatus Reverendus pater Dominus Godfridus Gloucestren' Episcopus antedictus, protestatus est, Quod non intendit consentire ad conceptionem & fabricationem alicujus Canonis in hac Sacra Synodo propositi & tractati, vel proponendi & tractandi, nisi aliquem antiquum Precedentem de legitimatione dictæ Sacra Synodi viderit; licet approbavit (ut asseruit) Benevolentiam sive Contributionem voluntariam, hac Sacra Synodo Domino nostro Regi concessam, & Canones desuper factos pro collectione & levatione ejusdem;

ejusdem ; & huic Protestationi in omnibus adhaerere intendit. Deinde comparuit Dominus Prolocutor, cum Octo aliis e Cœtu Domûs Inferioris, & præsentavit formam Libri Articulorum & tres Canones per istam Domum tractat. et etiam Literas quasdam petitionales ex parte Unius Clericorum in partibus Walliæ, pro errorum emendatione Liturgiæ Wallicæ, per falsam impressionem commissorum ; & ut ista forma Precis die Inaugurationis Regiæ singulis Annis utenda, in linguam Wallicam translata sit. Unde Reverendissimus cum consensu Confratrum suorum hujusmodi negotium Dom' Johanni Asaphen' Episcopo antedicto retulit. Tunc, eis dimissis, Reverendissimus cum Confratribus suis, tractavit super Canonibus contra Sectarios, Separatistas, & alios Recusantes venire ad preces divinas, & de utendâ prece die Inaugurationis Regiæ singulis Annis, & de Consecratione Panis & Vini tempore ministrationis sacrae Eucharistiæ, quoties opus fuerit consecrare ; & de alio Canone, &c. Quibus sic gestis, Reverendissimus, cum consensu Confratrum suorum, continuavit, &c. Usq; ad & inter horas secundam & quartam post Meridiem, &c. ad hunc locum. Prout in Schedulâ, per eum lectâ tenoris sequentis continetur. In Dei Nomine, &c.

Sessio

Sessio XX.

IN Pomeridiano ejusdem diei, in loco prædicto Reverendi Patres, &c. convenerunt & insimul à horâ tertiâ usq; ad post horam Septimam dicti diei confederunt; & tunc Reverendus Pater Dominus Johannes Sarum Episcopus antedictus ac Commissarius, &c. præsentem Convocationem sive Sacram Synodum Provincialem, usq; ad & in diem Sabbathi 23, viz. diem instantis Mensis inter horas nonam & undecimam ante meridiem, &c. continuavit, &c. ad hunc locum, prout in Scheda sequenti continetur, viz. In Dei Nomine, &c.

Sessio XXI.

DIE Sabbathi 23^o viz. die Mensis Maij Anno Domini 1640. inter horas nonam & undecimam ante Meridiem, &c. Reverendissimus tractavit cum eisdem [Episcopis] de libro Articulorum Visitationibus Parochialibus ministrand'; & inter hujusmodi tractatus, Reverendus Pater Dominus Richardus Norwicen' Episcopus Domum hanc Superiorem intravit; & citra semihoram postea, comparuit Prolocutor cum septem aliis à Domo Inferiori: deinde, eis dimissis habitoque tractatu citra Canonem pro ministratione libri Articulorum prædict. & de addend' eisdem Licentiâ & Dispensatione Reverendissimi sub sigillo suo, Prolocutor revertēbat, ad id licentiatus, & Secretè locutus est cum Reverendissimo (me præfato Notario semoto.)

Eo dimisso, Reverendissimus cum consensu Confratrum suorum, potestatem commisit Dominis Episcopis Elien', Exon' & Oxon' ad examinandum librum Articulorum prædict'. Deinde, tractatu Secreto cum Episcopis habito, Reverendissimus cum eorum consensu præsentem Convocationem, &c. continuavit, &c. Usq; ad & inter horas secundam & quartam post meridiem, &c. ad hunc Locum. Prout in Schedulâ tenoris sequentis plenius continetur, In Dei nomine Amen. Nos, &c.

Sessio XXII.

IN Pomerid' ejusd' diei in loco præd', &c. Reverendissimus, &c. post aliquod cum eis [Episcopis] habuit Colloquium, Prolocutor cum quibusdam aliis è Cœtu Domûs Inferioris Domum Superiorem intravit, & præsentavit binos Canones. Tunc, eo dimisso, habitusq; tractatu inter Dominum Archiepiscopum & Episcopos antedictos, revertēbat cum decem aliis dictæ Domûs Inferioris, & alios præsentavit Canones. Prolocutore iterum dimisso, paulò post revertēbat cum duobus vel tribus è Domo Inferiori; & Reverendissimus in eorum præsentis elegit Dominos Episcopos, Winton', Exon' Elien' & Bristolien' ad præsentandum cum ipso Instrumentum Benevolentix sive Contributionis voluntariæ, Serenissimo Domino Regi, & Voluit Dominum Prolocutorem ad eligendum Sex aut Octo alios Domûs Inferioris ad similiter præsentandum cum ipso Prolocutore dictum Instrumentum. Deinde, habito tractatu secreto cum eodem Prolocutore (me Notario antedicto semoto) Reverendissimus eundem Prolocutorem dimisit, & præsentem

presentem Convocationem, &c. Usq; ad & in diem Mercurij 27. Viz. diem, &c. inter horas nonam & undecimam ante Meridiem continuavit, &c. Prout in Schedulâ tenoris sequentis continetur. In Dei, &c.

Seffio XXIII.

DI E Mercurij 27°, Viz. die Mensis Maij, Anno Dom. 1640. inter horas nonam & undecimam ante Meridiem ejusdem diei, &c. Reverendissimus, &c. ad se accersiri fecit Dominum Prolocutorem & totum Cœtum Domûs Inferioris. Quibus comparentibus, Reverendissimus significavit, Quòd die Lune ultimo manè Instrumentum Concessionis benevolentia, sive contributionis voluntaria, unanimi consensu hujus Sacre Synodi, Serenissimo Domino nostro Regi concessa, in ejus Sacras manus per eos utriusq; Domûs ad hoc electos cum omni Humilitate, Obedientiâ, & Subjectione, traditum fuit. Regiaq; sacra Majestas eandem Concessionem gratiosè acceptavit, & Voluit ipsum Reverendissimum pro Domo Superiori & Dominum Prolocutorem pro Domo Inferiori, ad gratias utriq; Domui nomine suo pro eadem referendâ: Quòdq; die Martis ultimo, Canones in hac sacra Synodo tractat' per ipsum Reverendissimum Regia Majestati in presentis Dominorum è privato suo Consilio lecti fuerunt, Regiaq; Majestas, & Domini è Consilio prædict', eosdem unanimiter & sine hesitatione approbârunt: & Dominus Rex voluit eundem Reverendissimum ad habendum gratias utriq; Domui hujus Convocationis pro magnâ eorum curâ & labore citra confessionem

nem eorundem. Inter verò hujusmodi Sermonis prolationem, Domino Gulielmo Bangor Episcopo comparente, & in hac sacrâ Synodo unâ cum Dominis Episcopis antedictis sedente, Reverendissimus Prolocutorem & totum Cœtum Domûs Inferioris prædictæ dimisit. Tunc, habito aliquo tractatu inter Reverendissimum & præfatos Prelatos, Confratres suos, Prolocutor revertēbat & secum introduxit Conclusionem cujusdam Canonis pro suppressione accretionis numeri Papistarum, & eandem penes Reverendissimum reliquit. Deinde, dimisso Prolocutore, post aliquod temporis intervallum comparuit Willielmus Fisher Notarius Publicus & Actuarius Domûs Inferioris, & præsentavit Schedulam concernentem titulos cujuslibet Canonis in hac sacrâ Synodo usq; in horam prædictam tractat per Domum Inferiorem (ut asseruit) fact' & assens'. Unde Reverendissimus, cum consensu Confratrum suorum, eosdem titulos approbavit. Deniq; Prolocutor iterum venit, & exhibuit quosdam Canones contra Judices Ecclesiasticos & eorum Registrarios & Officiarios; eisdemq; in sacras manus Reverendissimi traditis, & Prolocutore dimisso, Reverendissimus continuavit, &c. Usq; ad & in diem Jovis 28. viz. diem, &c. inter horas nonam & undecimam ante Meridiem, prout in Schedulâ per eum lectâ continetur, Cujus quidem Schedulæ verus tenor sequitur. In Dei Nominē, &c.

Sessio XXIV.

DI E Jovis 28°. Viz. die Mensis Maij, Anno Domini 1640. inter horas nonam & undecimam ante Meridiem ejusdem diei, Reverendissimus,

simus, &c. post aliquem tractatum cum eis [Episcopis] habitum, Dominus Prolocutor venit cum quinque; aliis è Cœtu Domus Inferioris, & ex parte aliquorum inhabitantium Parochianorum Sancti Clementis Dacorum extra barras Novi Templi London & beata Maria Savoy, in Le-Strand, in Comitatu Middlesexia, exhibiit Literas quasdam Petitionales manibus suis propriis Subsignatas; & quidam Johannes Crosse Lanio, Willielmus Stevenson Lanio, & Uxor Rogeri Barton, partes in dictis Literis mentionate, obtulerunt se promptos & paratos ad iustificandum suggestiones in eisdem, & nominatim accusarunt Magistrum Johannem Allen Notarium Publicum Registrarij Deputatum, & Arthurum Coleman Apparitorem Domini Archi-Diaconi Middlesexia, tanquam partes in dictis literis criminosas, & in Officiis suis malè se gerentes. Unde Reverendissimus, cum Consensu Prælatorum & Cleri, in hac sacrâ Synodo congregat' decrevit, eos vocandos fore coram Commissariis Regiis, ac Processum contra eos fieri ex mero Officio, in ista Curia, etiam decrevit. Tunc, dimisso Prolocutore, Reverendissimus tractavit cum Prælatis citra istos Canones contra Cancellarios & alios Iudices Ecclesiasticos & eorum Officiarios. Post istum tractatum, Prolocutor cum 17. aliis è Domo Inferiori revertēbat, & Reverendissimus cum eodem Prolocutore tractatum habuit citra istos Canones, & in finem tractatûs eos retradidit eidem Domino Prolocutori per eum & totam domum Inferiorem considerand'. Deinde Prolocutore dimisso, Reverendissimus continuavit, &c. Usq; ad & inter horas secundam & quartam post meridiem hujus diei. Prout in Schedulâ tenoris sequentis continetur. In Dei, &c.

Sessio XXV.

IN Pomeridiano ejusdem diei in loco prædicto, Reverendissimus, &c. post tractatum cum eis [Episcopis] habitum, Prolocutor venit cum 19. aliis è Cætu Domûs Inferioris, & proposuit quosdam Canones Ecclesiasticos; & eo pro tempore dimisso, revertebat cum duobus vel tribus è Cætu dictæ Domûs, & Reverendissimus in præsentis Domini Johannis Lambe Militis, Legum Doctoris Officialis de Arcubus & Doctoris Heath Auditoris Curia Audien' Cant' qui ad informandum Reverendissimum & Episcopos vocati sunt, tractavit cum Domino Prolocutore citra Canones prædictos. Post tractatum hujusmodi finitum, Dominoq; Prolocutore dimisso, Reverendissimus continuavit, &c. Usq; ad in diem Veneris 29. Viz. diem, &c. inter horas nonam & undecimam ante meridiem, &c. Prout in Schedulâ, per eum lectâ tenoris sequentis continetur, viz. In Dei Nomine Amen, &c.

Ultima Sessio.

DIE Veneris 29°. Viz. die Mensis Maij, Anno Domini 1640. inter horas, &c. Reverendissimus, &c. judicialiter sedens: Prolocutor venit cum quibusdam aliis è Cætu Domûs Inferioris, & proposuit quendam Canonem. Tunc, eo dimisso, habitq; tractatu inter Reverendissimum Patrem antedictum & Confratres suos, super eodem

dem Canone, Prolocutor cum toto Cœtu Domûs Inferioris prædictæ revertēbat; & Reverendissimus cum Unanimitate consensu Prælatorum & Cleri hujus Sacra Synodi decrevit Regiam Majestatem supplicandam fore, ut Liber publicarum precum, in Latinum versus, reimprimatur, prout in Actu Synodico sequenti continetur, Viz. Decernimus insuper, &c. Deinde, Reverendissimus, in præsentis dicti Domini Prolocutoris, & totius Cœtus Domûs Inferioris, protulit Librum Canonum in hac Sacra Synodo tractat'. continentem septemdecim Capitula Canonum. Quem Reverendissimus in manibus suis tenens, cum Domino Prolocutore, altâ & intelligibili voce legebat. Quo perlecto, Reverendissimus, & Reverendi Patres antedicti (Excepto Domino Episcopo Gloucestren'. antedicto, Subscribere pro tempore denegant') ac Dominus Prolocutor & totus Cœtus Domûs Inferioris antedictæ, isto die comparētes, nominibus suis & aliorum pro quibus constituti sunt consensum & assensum suos eisdem Canonibus præstiterunt, & eorum Nomina manibus suis propriis eisdem respectivè subscripserunt. Et Reverendissimus, inter hæc Subscriptiones, interrogavit dictum Dominum Episcopum Gloucestren' an dictis Canonibus assensum suum præbere, & nomen Subscribere velit; idem Dominus Episcopus respondendo denegavit. Unde Reverendissimus primò, secundò & tertio, monuit eundem Dominum Episcopum ad Subscribendum. Ipse refutavit, & sic ad secundam & tertiam monitionem Canonicam respondebat, nisi ad Subscribendum Negativè, petendo beneficium Synodi. Tunc, Reverendissimus eundem Dominum Episcopum Gloucestren'. ob contumaciam & inobedientiam suam hujusmodi, ab Episcopatu suo pro parte sua deprivandum fore decrevit, ac monuit & jussit Dominum Johannem Lambe

Lambe Militem tunc præsentem, ad concipiendum Sententiam Deprivationis; & ad Vota & Suffragia Prælatorum ad eundem effectum processit. Post aliquem Processum hujusmodi habitum, major pars Prælatorum vota sua deprivationi dicti Domini Episcopi præbuit. Tunc præfatus Dominus Episcopus obviavit ad subscribendum, & de facto Nomen suum dicto libro apposuit. Quibus sic gestis, dictoq; Reverendo Patre interrogato per Reverendissimum ad rogatum Prolocutoris & aliorum è Cœtu Domûs Inferioris, an ipse subscripsit voluntariè & ex animo, sine æquivocatione, animi evasione, & Secreta reservatione; Respondebat, quòd ipse subscripsit, & aliter denegavit respondere. Deinde, dimisso Domino Prolocutore, cum toto Cœtu Domûs Inferioris, Reverendissimus & Confratres sui prædicti super istud grave Scandalum, Ecclesiæ Anglicanæ, & huic Sacræ Synodo, per dictum Dominum Episcopum illatum, inter se tractarunt, & unanimiter Vota sua dederunt pro suspensione ejusdem Episcopi ab Officio & Beneficiis suis Ecclesiasticis. Et mox Dominus Prolocutor cum toto Cœtu Domûs Inferioris revertēbat, ac nomine suo & totius Cœtus prædicti, dixit se & totum Cœtum Domûs sue, citra istud Scandalum Ecclesiæ huic Anglicanæ & Synodo Sacræ per Dominum Episcopum Gloucestre. illatum, tractasse, & Vota sua & eorum Suspensioni ejusdem Episcopi ab Officio & Beneficiis præbuisse. Et ulterius Dominus Prolocutor, nomine suo & eorum, Dominum Archi-Episcopum imploravit, ut dictus Dominus Episcopus Gloucestre. ante recessum suum ab hac Civitate, Juramentum in Sexto Canone in hac sacra Synodo tractat' mentionat' præstaret; & ut Reverendissimus interrogaret eundem Dominum Episcopum an ipse Subscripsit bonâ fide sine Æquivocatione & animi evasione.

evasione. Unde factâ monitione dicto Domino Episcopo Gloucestren', quod non recedat à Civitate, donec Juramentum prædictum ei oblaturum præstiterit & subierit, Reverendissimus cum consensu totius Synodi dictum Dominum Episcopum Gloucestren'. ab Officio & Episcopatu suo Gloucestr. & ab omnibus Beneficiis suis Ecclesiasticis Suspendendum fore decrevit, donec Serenissimo Domino nostro Regi & Sacra Ecclesia, ob magnum hujusmodi dedecus & grave Scandalum illatum, Satisfecerit. Eumq; in Scriptis Suspendebat, prout in Scheda sequenti continetur, Viz. In Dei Nomine Amen. Nos Gulielmus, &c. Postremo, habito per Reverendissimum sermonem gravi & eleganti, Prælati & Clero prædictis, Lectoq; per me præfatum Notarium Brevis Regio, de mandato dicti Reverendissimi Patris, de Convocatione dissolvendâ, tenoris sequentis, Viz. Carolus Dei gratiâ, &c. Idem Reverendissimus Pater, ob honorem & reverentiam dicti Domini nostri Regis juxta tenorem Brevis Regij prædicti, eandem Convocationem sive Sacram Synodum Provinciale dissolvit, prout in Schedulâ per dictum Reverendissimum Patrem lectâ plenius continetur, Cujus quidem Schedulæ tenor sequitur & est talis. Viz. In Dei nomine Amen. Nos Gulielmus, &c.

ACTA

SUPERIORIS DOMUS

CONVOCATIONIS INCOEPTÆ

OCTAVO DIE MENSIS MAII

ANNO MDCLXI.

IN REVISIONE LIBRI PRECUM PUBLICARUM

ET IN

CERTIS CANONIBUS CONFICIENDIS, &c.

USQUE AD DIEM XXVI. SEPTEMBRIS

ANNO MDCLXVI.



Archbishop J U X O N's Mandate
to the Bishop of London, to Sum-
mon a Convocation to St. Paul's,
May 8. 1661.

Gulielmus Providentiâ Divinâ Cantuar' Ar-
chiepiscopus, totius Angliæ Primas & Me-
tropolitanus; Venerabili Confratri nostro Domino
Gilberto eâdem Providentiâ London. Episcopo,
Salutem, & fraternam in Domino charitatem.
Breve Illustrissimi in Christo Principis, & Domini
nostri Domini Caroli secundi, Dei gratiâ Angliæ,
Scotiæ, Franciæ, & Hiberniæ Regis, Fidei defen-
soris, &c. nobis inscript'. & direct' nuper cum eâ
quâ decuit reverentiâ, obedientiâ & subjectione,
humiliter recepimus in hæc verba. Carolus se-
cundus, Dei gratiâ Angliæ, Scotiæ, Franciæ, & Hi-
bernæ Rex, Fidei Defensor, &c. Reverendissimo
in Christo Patri Gulielmo eâdem gratiâ Cantuar'
Archiepiscopo, totius Angliæ Primati & Metro-
politano, Salutem. Quibusdam arduis & urgentibus
negotiis Nos, securitatem & defensionem Ecclesiæ
Anglicanæ, ac pacem & tranquillitatem, bonum
publicum, & defensionem Regni nostri & subdito-
rum nostrorum ejusdem concernen. Vobis in fidē
& dilectione quibus nobis tenemini rogando man-
damus, quatenus præmissis debito intuitu attentis
& ponderatis, universos & singulos Episcopos
vestræ Provinciæ, ac Decanos Ecclesiarum Cathe-
dralium, nec non Archidiaconos, Capitula, &
Collegia,

Mandatum
Episcopo
London',
direct' pro
Convocat.
summo-
nenda.

Collegia, totumq; Clerum cujuslibet Diœceseos ejusdem Provincia, ad comparandum coram vobis in Ecclesiâ Cathedrali Sancti Pauli London. octavo die Mensis Maij prox. futur. vel alibi prout melius expedire videritis, cum omni celeritate ac commodâ modo debito convocari faciatis, ad tractandâ. consentiendâ. & concludendâ. super præmissis & aliis que sibi clariùs exponentur tunc ibidem ex parte nostra. Et hoc sicut Nos & Statum regni nostri, ac honorem & utilitatem Ecclesiæ prædictæ. diligitis, nullatenus omitatis. Teste meipso apud Westm'. Undecimo die Aprilis, Anno Regni nostri Tertio Decimo.

Quocirca fraternitati vestræ committimus & mandamus, quatenus omnes & singulos Co-episcopos Ecclesiæ nostræ Christi Cantuar'. Suffraganeos, infra præfatam nostram Provinciam Cant. constitutos, peremptoriè citetis, & per eos Decanos Ecclesiarum Cathedralium, & Collegiatarum, & singula Capitula earundem, Archidiaconosque & alios Ecclesiarum Prælatos exemptos & non exemptos, Clerumque cujuslibet Diœceseos Provincia nostræ Cantuar'. antedictæ. peremptoriè citari & præmoneri volumus & mandamus: Quòd iidem Episcopi, Decani, Archidiaconi, & ceteri Ecclesiarum Cathedralium Prælati exempti & non exempti personaliter; & quodlibet Capitulum Ecclesiarum Cathedralium & Collegiatarum per unum, Clerusq; cujuslibet Diœces. Provincia nostra antedictæ. per duos sufficien'. Procuratores compareant coram nobis aut nostro in hac parte Locumtenente sive Commissario (si Nos impediri contigerit) in Domo Capitulari Ecclesiæ Cathedralis sancti Pauli London, 8 die Mensis Maij prox. futur. post Datum Præsentium, cum continuatione & prorogatione dierum extunc sequen' & locorum

(f)

(si oporteat) fiend'. ad tractand'. super arduis & urgentibus negotiis, statum & utilitatem, bonum publicum & defensionem Regni Angliæ & Subditorum ejusdem concernen'. ipsis tunc & ibidem serioſius exponend' suâq; sana consilia & auxilia super eis impensur. ac hiis quæ ibidem ex deliberatione communi ad honorem Dei & Ecclesiæ utilitatem salubriter Ordinari & Statui contigerit, consensur. ulteriusq; factur. & receptur. quod justum fuerit & hujusmodi negotij natura & qualitas de se exigunt & requirunt. Vos autem, Venerabilis Confrater, dictum Mandatum, quatenus Vos & Capitulum Ecclesiæ vestræ Cathedralis ac Civitatem & Dioc'. London. concernit, exequi per omnia faciatis & eidem pareatis in omnibus cum effectu. Pratered, tenore presentium Vos citamus, quatenus eisdem die & loco coram Nobis aut nostro in hac parte Locum-tenente sive Commissario, uno vel pluribus, unâ cum aliis Venerabilibus Confratribus nostris dictæ Provinciæ nostræ Cantuar. Co-episcopis, compareatis, super hujusmodi negotiis, ut pramittitur, tractatur. nec non factur. & receptur. quod justum fuerit & quod ad vestram Paternitatem attinet, prout superius continetur. Volumus insuper & mandamus, quatenus intimetis & denunciatis seu intimari & denunciari faciatis dictæ Provinciæ nostræ Cantuar'. Co-episcopis, Decanis, Archidiaconis, & ceteris Ecclesiarum Prelatis suprascrip'. quod eos à personali participatione in hujusmodi negotio Convocationis & Congregationis, dictis die & loco (ut pramittitur) Divinâ favente Clementiâ celebrand'. excusatos non habere intendimus ista Vice nisi ex causâ necessariâ tunc & ibidem allegand' & proponend. & per nos approband'. sed Contumacias eorum qui absentes fuerint, Canonice punire. Et praterca, Vo-

bis (ut supra) injungimus & mandamus, quòd omnibus & singulis Co-episcopis Suffraganeis provincia nostræ Cantuar' prædict'. injungatis & injungi faciatis, ut singuli eorum sigillatim de facto suo quatenus pertinet ad eosdem, Nos seu Locum-tenentem sive Commissarium nostrum unum vel plures dictis die & loco per Literas eorum Patentes, Nomina & Cognomina omnium & singulorum per eos respectivè citatorum continen. distinctè certificent & apertè. De die verò receptionis præsentium, & quid in præmissis feceritis, Nos aut nostrum in hac parte Locum-tenen' sive Commissarium hujusmodi dictis die & loco debitè certificari curetis per literas vestras Patentes harum seriem unà cum nominibus omnium & singulorum Episcoporum Provinciae nostræ Cantuar'. Decanorum, Archidiaconorum, & cæterorum Prælatorum vestræ Diœceseos in separatâ Schedulâ literis Certificatoriis annectend'. complecten'. In cujus Rei Testimonium, Sigillum nostrum Archiepiscopale præsentibus apponi fecimus. Dat. in Manerio nostro de Lambeth, duodecimo die mensis Aprilis, Anno Domini Millesimo Sexcentesimo Sexagesimo primo, Et nostræ Translationis Anno Primo, &c.

Seffio Prima.

DIE Mercurij, 8°. Viz. die Mensis Maij, Anno Domini 1661. Annoq; Regni Domini nostri Caroli secundi Dei gratiâ Angliæ, Scotiæ, Franciæ, & Hiberniæ Regis, Fidei Defensoris, &c. 13. Reverendus in Christo Pater & Dominus Gilbertus Providentiâ divinâ London' Episcopus, inter horas nonam & decimam antè Meridiem ejusdem diei,

diei, una cum nonnullis Reverendis in Christo Patribus Confratribus & Co-episcopis suis, nec non Decanis, Archidiaconis, ceterisque; Clericis & Ministris, nec non Advocatis & Procuratoribus, & ceteris Ministris *Almæ Curia Cant' de Arcubus London'*, ab ædibus Berwick in Medicinis Doctoris intra Pauls Church-yard in Parochiâ Sancti Gregorij Civitatis London'. notoriè sit' & situat', usq; ad & in parvum ostium australe Ecclesiæ Paulinæ in Ecclesiam Cathedralē Sancti Pauli London' pervenit; & ibidem Venerabilis vir Matthæus Nicholas, in Legibus Doctor, Decanus, Thomas Turner, Johannes Hacket & Edwardus Layfield, Sacræ Theologiæ Professores, Canonici Residentiarij dictæ Ecclesiæ Cathedralis, ceteriq; Canonici & Præbendarij ejusdem Ecclesiæ superpelliciis induti, eum præstolabantur, & ad Chorum ipsius Ecclesiæ perduxerunt, comitantibus eum Episcopis Provincia Cant' similibus habitibus indutis. Et ibidem dictus Reverendus Pater in stallō quodam collocatus fuit, ceterisque; Episcopis Suffraganeis Provincia Cant. habitibus suis in hujusmodi Convocationis negotio solitis & consuetis, indutis, stallis Præbendariorum (jam pro stallis usitatis) ex utraq; parte dicti Chori sedentibus, ac decantato per Ministros Chori prædicti Hymno, Te Deum Laudamus, &c. lectoq; Capitulo pro lectione secundâ istius diei, & aliis precibus matutinis juxta formam Liturgiæ peractis, & alio Hymno, O Lord make thy Servant CHARLES, &c. cantato, Venerabilis Vir Thomas Pierce, S. Theologiæ Professor, suggestum usitatum ingressus fuit, ac ibidem Concionem venustam & eloquentem sermone Latino, ad Reverendos Patres & Populum & Clerum præsentēs habuit, accepto pro Themate versu 28 decimi quinti Capituli

Capituli Act' Apostolorum, viz. Visum est enim Spiritui Sancto & Nobis, nihil ultra imponere vobis oneris, quàm hæc necessaria. Quâ quidem Concione finitâ, ac decantato per Ministros Chori prædicti alio Hymno, O Lord grant the King a long Life, &c. Reverendus Pater Dominus Episcopus London. tanquam Locum-tenens Reverendissimi in Christo Patris ac Domini Domini Providentiâ Divinâ Cant'. Archi-episcopi totius Angliæ Primatis & Metropolitan, legitime constitut'. Chorum prædict'. egressus, ac Domum Capitularem (ut dicitur pro hac vice) Ecclesiæ Cathedralis Divi Pauli London' prædict' ingressus, comitantibus eum ceteris Episcopis & Cleris Prælati Provinc' Cant'. assidentibus secum undique Episcopis Suffraganeis, viz. Matthæo Elien', Gulielmo Bathon' & Wellen', Roberto Oxon', Joanne Roffen', Henrico Cicestren', Georgio Wigorn', Humfrido Sarum, Benjamino Petriburgen', Edwardo Norwicen', Nicolao Hereford', & Gulielmo Gloucestren' respectivè Episcopis personaliter comparentibus, dictoq; Reverendo Patre Domino Episcopo London' pro Tribunali seden' Venerabilis vir Richardus Chaworth Legum Doctor, dicti Reverendissimi Patris Vicarius in Spiritualibus generalis, & Officialis Principalis legitime constitutus, præsentavit dicto Reverendo Patri Domino Episcopo London' Literas quasdam Commissionales dicti Reverendissimi Patris, dicto Domino Episcopo London' & aliis Co-episcopis conjunctim & divisim direct'. Quibus Literis Commissionalibus per me præfatum Willielmum Fisher, Notarium Publicum & Registrarij deputatum de Mandato dicti Reverendi Patris publicè perlectis, dictus Reverendus Pater Dominus Gilbertus London' Episcopus onus executionis earundem in se accepit

acceptavit & decrevit procedendum fore juxta tenorem earundem.

Deinde Brevis Regio per dictum Dominum Richardum Chaworth presentato, dicto Reverendissimo Patri inscripto & directo, & per me prefatum Notarium publicum antedictum, de mandato Domini Gilberti London' Episcopi publice perlecto, dictus Venerabilis Vir Richardus Chaworth, tanquam Vicarius in Spiritualibus generalis Domini Episcopi London', exhibuit & presentavit Certificatorium super executione mandati citatorij & monitorij dicti Reverendissimi Patris alias sibi prefato Domino Episcopo London' directi. Cujus quidem Certificatorij tenor sequitur in hac verba, &c. Reverendissimo in Christo Patri, ac Domino Domino Gulielmo Providentiâ divinâ Cant' Archi-episcopo, totius, &c.

Quo quidem Certificatorio per me prefatum Willielmum Fisher, de Mandato dicti Reverendi Patris, publice lecto, preconizatisq; publice omnibus & singulis Reverendis Patribus Provinciae Cant' Episcopis Suffraganeis in eodem Certificatorio mentionatis; prefatus Reverendus Pater verbis Latinis conceptis Clerum Domus Inferioris Convocationis in dictâ domo Capitulari coram eo & ceteris Prælatiis constitutum, monuit, quatenus ad solitum & consuetum Conventus sui locum sese conferentes, unum Virum gravem, doctum, & peritum, de gremio suo provideant & eligant in eorum Prolocutorem sive Referendarium, ipsūmq; sic electum exhibeant & presentent coram Reverendissimo Patre, aut ejus Locum-tenente sive Commissario die Jovis prox. decimo sexto die mensis Januarii instantis Maij, inter horas 9 & 11, ante meridiem ejusdem diei in Capellâ Regis Henrici 7. infra Ecclesiam Collegiatam B. Petri Westm'.

Quo

Quo Clero dimisso, ad locum solitum, ad effectum elegendi unum gravem, doctum, & peritum Virum de gremio suo in eorum Prolocutorem sive Referendarium sese conferebant, & post aliquem tractatum inter dictum Reverendum Patrem & præfatos Reverendos Patres: Confratres suos, Venerabilis vir Matthæus Nicholas Legum Doctor, Decanus Ecclesiæ Cathedralis Divi Pauli London' prædictæ, unâ cum Venerabilibus viris Thoma Turner S. Theol. Professore, & Richardo Bayley S. Theolog. Professore, à dictâ Domo Inferiori ad hoc Electis, tam nomine suo proprio quam totius Cætus dictæ Domûs, dicto Reverendo Patri significavit, se & ceteros dictæ Domûs convenire, Venerabiles viros Henricum Fearn S. Theologia Professore in eorum Prolocutorem, & Johannem Pearson S. Theolog. Professore in Præsentatorem dicti Prolocutoris respectivè unanimi consensu elegerunt. Quibus sic gestis, præfatus Reverendus Pater pronunciavit omnes & singulos, Decanos, Archidiaconos, Capitula, Cleri Procuratores ac ceteros quoscunq; ad interessendum istis die, horâ, & loco, in hujusmodi Synodo Sacrà sive Convocatione monitos & citatos, & nullo modo comparentes, notoriè Contumaces; pœnas verò Contumaciarum suarum hujusmodi usq; ad & in decimum sextum instantis mensis Maij inter horas 9 & 11 antè Meridiem ejusdem diei ad Ecclesiâ Collegiatam B. Petri Westm' prædict' reservando, & reservabit, prout in Schedulâ per dictum Reverendum Patrem lectâ plenius liquet. Cujus quidem Schedulâ tenor sequitur & est talis. Viz. In Dei nomine, Amen. Nos Gilbertus, &c. Postremò dictus Reverendus Pater Continuavit & Prorogavit præsentem Convocationem sive Sacram Synodum, omniaq; & singula Certificatoria

Schedula
contra
Contu-
maces.

istis

*istis die, horâ, & loco, introducta ac introdu-
cenda & non introducta, in eodem statu quo nunc
sunt usq; ad & in prædictum decimum sextum
diem jam instantis Maij prædicti, inter horas 9 &
11. ante meridiem ejusdem diei, ad Ecclesiam
Collegiatam B. Petri Westm. prout in aliâ Sche-
dulâ per eum lectâ tenoris sequentis continetur, viz.* *Schedula*
In Dei nomine Amen, Nos Gilbertus, &c. *Continua-*
tionis.

Certificatorium Archidiaconi Cant', Reveren-
dissimo in Christo Patri, &c.

Secunda Sessio.

D^IE Jovis decimo sexto die Mensis Maij,
1661. inter horas 9 & 11 ante Meridiem
ejusdem diei, Reverendo in Christo Patre ac Do-
mino Gilberto London' Episcopo, nec-non Reve-
rendis Patribus Guilielmo Bathon' & Wellen',
Matthæo Elien', Roberto Oxon', Johanne Ros-
sen', Henrico Cicestron', Georgio Wigorn', Hum-
frido Sarum, Benjamino Petriburgen', Georgio
Asaphen', Guilielmo Meneven, Hugone Landa-
ven', Edwardo Normicen' & Guilielmo Glouce-
stren', respectivè Episcopis in Capellâ Regis Hen-
rici 7. infra Ecclesiam Collegiatam B. Petri Westm'
congregatis, ante preces inceptas, in præsentia mei
Willielmi Fisher Notarii Publici, &c. Compa-
ruit personaliter Venerabilis vir Johannes Earles
S. Theol. Professor, Decanus Ecclesie Collegiate
B. Petri Westm' prædicti, secum stantibus vene-
rabilibus viris Matthæo Nicholas Legum Doctore,
Willielmo Heywood
. S. Theologia respectivè Professo-
H h rikus,

Protesta-
tio Decani
Westm'.

Protesta-
tio Reve-
rendi Pa-
tris, &c.

ribus, & Ecclesiæ Collegiatæ prædictæ Præbendariis,
ac Domino &
Johanne Allen Notario Publico, & nonnullis aliis
testibus. Qui quidem venerabilis vir Johannes
Earles Decanus antedictus tunc & ibidem dixit,
allegavit, protestatus est & cetera fecit prout in
quâdam Schedulâ in pergamento scriptâ & exaratâ
quam in manibus suis tunc & ibidem tenens pub-
licè legebat, in hæc verba, Ego Johannes Earles,
S. Th. Professor, Decanus Ecclesiæ Collegiatæ
B. Petri Westm. ad comparand', &c. Et tunc
Reverendus Pater Dominus Gilbertus London' Epi-
scopus tanquam Locum-tenens sive Præsident, &c:
pro se & Confratribus suis ac omnibus & singulis
Pralatis & Clero suæ Cant' Provinc' in hac præ-
senti Convocatione sive sacrâ Synodo Provinciali
jussu & interesse habentibus Protestatus est, & cæ-
tera fecit, prout in aliâ Schedulâ in papyro scri-
ptâ, per dictum Reverendum Patrem lectâ, tunc
& ibidem continetur, viz. In Dei nomine. Cum
hæc Ecclesia Collegiata B. Petri Westm' &c.
præsentibus tunc & ibidem venerabili viro Ri-
chardo Chaworth Legum Doctore, Reverendis-
simi in Christo Patris Domini Archi-episcopi Cant'
Vicario in Spiritualibus generali, Francisco Mun-
dy præfato
Johanne Allen, Notariis Publicis, ac nonnullis
aliis testibus, &c. Quibus sic gestis, prænominatus
Reverendus Pater post intervallum temporis ad eum
accerfiri jussit Pralatos & Clerum Domûs Infe-
rioris. Qui copiose sese præsentantes, exhiberi
& sisti fecerunt Venerabilem virum Henricum
Fearne, S. Theologia Professore, Decanum Ec-
clesiæ Cathedralis Elien', in Prolocutorem totius
Cætûs prædictæ. Domûs Inferioris ultimâ Sessione
electum; quem venerabilis vir Johannes Pearson
S. Theol.

S. Theol. Professor in Præsentatorem istâ Sessione etiam electus, vice totius Cætus prædicti. Domus inferioris, præmissa facundâ & eloquenti Oratione per eum prolata exhibuit & Præsentavit dicto Reverendo Patri & cæteris Episcopis prædictis. Ac, factâ aliâ Oratione eleganti per eundem Prolocutorem sic præsentatum, præfatus Reverendus Pater Dominus Episcopus London' de consensu Confratrum suorum prædictorum eundem Henricum Fearnæ electum, & Electionem prædictâ de Personâ suâ in Prolocutorem & Referendarium prædicti. per aliam venustam & eloquentem Orationem Latinam commendavit & approbavit. Tunc, dimisso Prolocutore cum Cætu Domus Inferioris prædicti; habitoque aliquandiu Tractatu inter dictum Reverendum Patrem & cæteros Episcopos suffraganeos suos ut præfertur comparentes, de & super Precibus specialibus pro die Nativitatis Domini nostri Regis, nec non pro felicissimâ Restauratione ejus ad & in regna sua, viz. 29 die mensis jam instantis Maij, per quatuor Episcopos hujusmodi Domus, nempe Matthæum Elien', Robertum Oxon', Benjaminum Petriburgen', & Humfridum Sarum, respectivè Episcopos, in eâ parte respectivè electi & per 8 Prælatos sive Cleros Domus Inferioris eligendos, concipiendus & Publicè isto die annuatim perlegendis; nec non etiam de & super Precibus specialibus & particularibus in 30 diem mensis Januarij in quolibet anno publicè peragendis & perlegendis, & per Reverendos Patres Johannem Rassen', Henricum Cicestren', Georgium Wigorn', & Edwardum Norwicen' respectivè Episcopos in eâ parte electos; & per octo Prælatos sive Cleros dictæ Domus inferioris in eâ parte respectivè eligendos, concipiendus, continuavit, &c. prout in Schedulâ, &c.

Tertia sessio.

DIE Sabbati 18. *Viz. die Mensis Maij,*
 1661. inter horas 9 & 11 ante Meri-
 diem ejusdem diei in Capellâ Regis Hen. 7. infra
 Ecclesiam Collegiatam Divi Petri Westm'. Reve-
 rendus Pater Dominus Gilbertus London', Wil-
 lielmus Bathon' & Wellen', &c. respectivè Epi-
 scopi, congregati, primò & antè omnia preces,
 Deo Op. Maximo flexis genibus humilitèr funde-
 bant; Precibûsq; peractis, præfato Reverendo Patre
 in præsentia mei Willielmi Fisher Notarij Pub-
 lici, &c. pro Tribunali sedente, assidentibus se-
 cum prædictis Reverendis Patribus; Reverendus
 Pater Dominus Elien' Episcopus tam pro se quam
 aliis Episcopis, &c. introduxit Preces de & super
 Nativitate Domini nostri Regis & Restauratione
 sua, &c. per dictos Episcopos ultimâ Sessione electos,
 conceptas; & tradidit eas Domino Commissario sive
 Locum-tenenti. Et post aliquot tractat'. dictus
 Dominus Episcopus London', cum consensu Confra-
 trum suorum hujusmodi, voluit ad se accessiri Do-
 minum Prolocutorem cum quibusdam aliis e Cœtu
 Domûs Inferioris, qui intravit cum sex dictæ Do-
 mûs inferioris, & tradidit dicto Prolocutori di-
 ctas preces sic (ut præfertur) conceptas, per eum
 & totam Domum Inferior' considerandas & con-
 sentiendas. Deinde, Dominus Commissarius inti-
 mavit dicto Prolocutori de Precibus specialibus &
 particularibus pro baptizatione nonnullorum Adul-
 torum concipiendis & formandis; & pro concep-
 tione earundem, dictus Reverendus Pater, cum
 consensu Confratrum suorum, tres Reverendos Pa-
 tres hujus Domûs, viz. Dominum Humphridum
 Sarum,

Sarum, Benjaminum Petriburgen', & Georgium Asaph' respectivè Episcopos elegit, & voluit Dominum Prolocutorem sex Cleros e dictâ Domo Inferiori eligere ad procedendum cum dictis Episcopis in dicto negotio.

Quibus sic gestis, dimissus fuit Prolocutor unâ cum sex aliis prædict'; & post tractatum cum Episcopis per dict' Domin' Commissarium habitum, dictus Commissarius continuavit, &c. prout in Schedulâ, &c.

Quarta Sessio.

DIE Mercurij, 22^o die Mensis Maij 1661. inter horas [nonam & undecimam ejusd' diei] aliàs designatas, in præsentia mei Willielmi Fisher Notarij publici, &c. Reverendus in Christo Pater Dominus Johannes permissione divinâ Roffen' Episcopus, &c. Congregati, primo & ante omnia preces, &c. Dictisq; precibus peractis & finitis, dicto Reverendo Patre Domino Johanne Roffen' Episcopo pro tribunali sedente, assidentibus secum, &c. dictus Reverendus Pater post aliquot tract. inter dictos Reverendos Patres hab. cont. nuavit, &c. prout in Schedulâ, &c.

Quinta Sessio.

DIE Veneris 24^o. Viz. die mensis Maij, &c. inter horas 9 & 11 ante Meridiem ejusdem diei, &c. Reverendus Pater Dominus Willielmus, &c. Bathon' & Wellen'. Episcopus, &c. post aliquot tractat' inter dictos Reverendos respectivè Patres

Patres habit'. & fact'. &c. continuavit, &c. prout
in Schedulâ, &c.

Sexta Sessio.

DIE Martis 28^o Viz. die mensis Maij, inter
horas 9 & 11 ante Meridiem ejusdem
diei, &c. dictus Reverendus Pater, &c. post ali-
quor tractat' habit' & fact' inter dictos Reveren-
dos Patres, &c. Continuavit, &c. prout in Sche-
dulâ, &c.

Septima Sessio.

DIE Veneris 31^o die mensis Maij, inter
horas 9 & 11 ante Merid' ejusd' diei, &c.
introducâ prius per dictum Episcopum Sarum for-
mâ precum publicarum pro Baptizatione Adult'
celebrand' & per me Willielmum Fisher, No-
tarium Publicum antedictum, de mandato dicti
Præsidentis, publicè perlect', & per dictos Reveren-
dos Patres unanimiter approbat' ; & lectâ tam
petitione cujusdam Ogleby quàm literis Regiis
hujusmodi domo direct'. de & super commendatione
Biblij impensis dicti Ogleby ; & post commenda-
tionem ejusdem Petitionis, literarum Regiarum &
libri prædicti Domo Inferiori, &c. & post aliquor
tractat', inter dictos Reverendos Patres, dictus
Reverendus Pater, &c. Continuavit, &c. prout
in Schedulâ, &c.

Octa-

Octava Sessio.

Septimo die mensis Junij, inter horas 9 & 11 ante Meridiem ejusdem diei, &c. comparuit personaliter Richardus Aldworth Armiger, & presentavit dicto Reverendo Prasidenti sive Locumtenen' Licentiam quandam Regiam Sigillo magno Angliæ sigillat' de Emendando, reformando, exponendo, & corrigendo, Constitutiones & Canones aliàs factas; nec non de ordinando & conficiendo nonnullas novas Constitutiones, Ordinationes sive Capitula, statum Ecclesiasticum, sinceram Religionem, & utilitatem Ecclesiæ Anglicanæ concernen' & tenden'; unà cum nonnullis aliis Provisionibus in eadem Licentiâ insertis, sub tenore verborum sequen' viz. Charles by the Grace of God, &c. Quibus per me Willielm' Fisher in hac parte Actorum scribam publicè tunc & ibidem altâ voce coram dictis respectivè Patribus perlect', dictus Reverendus Pater & ceteri Episcopi secum assidentes, cum omnimodâ reverentiâ, subjectione, & humilitate gratantèr acceptârunt & receperunt. Eademq; Licentiâ sic lectâ, dictus Reverendus Pater, post intervallum temporis, ad eum accersiri jussit Prolocutorem, Prælatos & Clerum Domus Inferioris. Quibus copiosè sese presentantibus coram eo ceterisq; Episcopis antedictis, modo (ut præfertur) secum assiden', & dictâ Licentiâ denuo, de mandato dicti Reverendi Patris, per me Notarium Publicum antedict' publicè perlectâ, dictus Reverendus Pater præfatum Prolocutorem, & alios de Domo Inferiori Decanos, Archidiaconos, Capitula & Cleri Procuratores ibidem

dem presentes voluit ut ipsi inter se convenirent & mature excogitarent de Canonibus & Constitutionibus statum Ecclesiasticum & Christi Religionem in Ecclesiâ Anglicanâ concernent' concipiendis, & quicquid inde senserint sive excogitaverint in scriptis redigant, & coram ipso Reverendo Patre & Confratribus suis Episcopis exhibeant. Deinde, dimisso Prolocutore cum Cœtu Domûs Inferioris, introducta fuit Copia Proclamationis per Attournatum Regium generalem (ut asserbatur) concept' & dictis respectivè Episcopis destinat' pro Jejunio Observando; & eâdem de mandato dicti Reverendi Patris per me Notarium Publicum antedictum publicè perlectâ, dictus Reverendus Pater dictam Copiam retradidit. Tunc, habito tractatu inter dictum Dominum Reverendum Patrem & ceteros Episcopos suffraganeos suos ut præfertur comparentes, de & super precibus specialibus & particularibus pro Jejunio juxta Proclamationem prædict' 12 die jam instan' mensis Junij celebrando & observando, per quatuor Episcopos hujusmodi domûs, nempe Matthæum Elien', Robertum Oxon', Humfridum Sarum, & Benjaminum Petriburg', respectivè Episcopos in eâ parte respectivè electos, & per 8 Pralatos sive Cleros Domûs Inferioris eligend', concipend' dictus Reverendus Pater, &c. continuavit, &c. prout in Schedulâ, &c.

Nona Sessio.

DIE Veneris 14^o die mensis Junij, inter horas 9 & 11 ante Meridiem ejusdem diei, &c. dictus Reverendus Pater, &c. post aliquod tractatum, &c. continuavit, &c. prout in Schedulâ, &c.

Decima Sessio.

DIE Mercurij 19 die mensis Junij inter horas 9 & 11 ante Merid^o ejusd^e diei, &c. Reverendus Pater Dominus Episcopus London' Præsident in præsentis Reverendorum Patrum Confratrum suorum significavit & intimavit, Serenissimum Dominum nostrum Carolum Regem ex gratiâ sua speciali Licentiam sive Commissionem magno suo sigillo Angliæ sigillat^a, ad eundem effectum prout prior Commissio sive Licentia aliâs introduct^a fuit ac erat, curâsse, ac potestatem dedisse Archi-episcopo & ceteris Episcopis ac Clero Provinciæ Cant^{ie}. ad procedend^o, emendand^o, reformatand^o, exponend^o, corrigend^o, ordinand^o & conficiend^o. prout in eisdem continetur: Quorum Reverendissimum in Christo Patrem Dominum Dominum Archi-episcopum Cant^{ie}, Gilbertum London^o, Willielmum Bathon^o & Wellen^o & Matthæum Elen^o, respectivè Episcopos in dictâ Convocatione pro rebus Ecclesiasticis perficiend^o. juxta Commissionem & Licentiam Regiam prædict^a dictus Dominus noster Rex uni esse voluit & mandavit; & eandem Licentiam sive Commissionem

Licentia
Secunda
Dom' no-
fri Regis.

missionem produxit & exhibuit sub tenore verbo-
rum sequentium, viz. Charles by the Grace of
God, &c. Quâ per me prefatum Willielmum
Fisher Notarium Publicum in hac parte Actorum
Scribam sive Registrarium deputatum publicè tunc
& ibidem perlectâ, dictus Reverendus Pater Do-
minus Episcopus London', Præsident antedictus, unâ
cum dictis Reverendis Patribus Confratribus suis,
tractatum sive colloquium habuit de & super Exa-
minatione Canonum alias fact'. ac de Jurisdic-
tione Ecclesiæ, nec non de Regulatione Cleri-
corum & Ecclesiasticorum Officiorum; &
ad eundem effectum, dictus Reverendus Pater; cum
unanimiti consensu dictorum Reverendorum Patrum
Confratrum suorum, elegit duodecim Episcopos viz.
Dominum Willielmum Bathon' & Wellen'. Mat-
thæum Elien. Robertum Oxon. Johannem Ros-
sen. Henricum Cicestren. Humfridum Sarum,
Georgium Wigorn. Robertum Lincoln. Geor-
gium Asaphen. Gulielmum Meneven. Benja-
minum Petriburgen. & Johannem Exon. res-
pectivè Episcopos, & commisit vices suas eisdem aut
tribus eorum ad procedend' in dicto negotio, &
viginti quatuor domûs Inferioris per dictam do-
mum eligend. aut sex eorundem; ad conveniend'.
in magnâ aulâ Le Savoy die Sabbati prox. horâ
tertiâ post Meridiem, & postea diebus Martis &
& Jovis in quâlibet hebdomadâ dictis horâ &
loco, donec dictum negotium perficiatur. Et or-
dinavit ad introducendum eorum relationem quam
primùm poterint. Ita tamen, quòd bene liceat
& licebit omnibus aliis Reverendis Patribus &
Clero ad conveniendum & consulendum cum di-
ctis respectivè Episcopis, dictis loco & tempore, de
& super præmissis, quando & quoties sibi met ipsi
videbitur expediens. Tunc dictus Reverendus
Pater

Pater Dominus Episcopus London', cum consensu dictorum Reverendorum Patrum Confratrum suorum, ad eum accerseri jussit Prolocutorem, Praelectos, & Clerum Domus Inferioris; quibus copiose sese presentantibus coram eo ceterisque Episcopis antedictis modo (ut praefertur) secum assidentibus, dictus Reverendus Pater omnia & singula praemissa dicti Prolocutori & Domui Inferiori significavit, & voluit dictum Prolocutorem ad eligendum viginti quatuor ex gremio suo ad conveniendum cum dictis Reverendis Patribus, sic ut praefertur, electis, dictis diebus & loco de & super consultatione praemissorum. Dictoque Prolocutore & Cœtu Domus Inferioris dimisso, & post aliquem tractatum inter dictos Reverendos Patres, dictus Reverendus Pater Dominus Praesidens antedictus, &c. Continuavit, &c. prout in Schedulâ, &c.

Sessio XI.

DIE Veneris 21^o die mensis Junij, inter horas 9^æ & 11 ante Meridiem ejusdem diei, &c. Reverendo Patre Domino Episcopo London' pro tribunali sedente, assidentibus secum dictis Reverendis respectivè Patribus, nec non Reverendissimo in Christo Patre ac Domino Accepto Providentiâ divinâ Ebor. Archi-episcopo, &c. Dunelmen' Episcopo, & Cicestron' Episcopo, dictus Reverendus Pater Dominus Episcopus London' una cum dictis Reverendis Patribus Confratribus suis tractatum habuit de conceptione unius libri Articularum in Visitatione cujuslibet Episcopi Oeconomis & Inquisitoribus in qua

libet Diœcesi ministrandorum : & ad eundem intuitum dictus Reverendus Pater, cum unanimi consensu dictorum Confratrum suorum, sex Episcopos Confratres suos nempe Willielmum Bathon' & Wellen', Matthæum Elien', Robertum Oxon', Humfridum Sarum, Robertum Lincoln', & Willielmum Gloucestren' elegit, & commisit vices suas eisdem aut eorum tribus ad concipiend' & formand' dictos Articulos, &c. ad conveniend' in aulâ magnâ in Le Savoy die Sabbati prox. ad septimanam hora tertia post meridiem, & postea diebus Luna & Sabbati in qualibet hebdomadâ, dictis horâ & loco, donec dictum Opus finiatur. Ita tamen quod benè liceat & licebit omnibus aliis Reverendis Patribus ad conveniend' & consulend'. cum dictis Reverendis Patribus dictis loco & tempore, de & super præmissis, quoties & quando sibi met ipsis videbitur expediens : Et dictus Pater, de & cum consensu Confratrum suorum Episcoporum Cant' Provinc', petiit & rogavit Reverendos Patres Dunelmen' Carliolen' & Cestren' respectivè Episcopos infra Provinc. * Ebor. dictis horâ & loco, dictis respectivè Episcopis in dicto negotio esse interessentes & assistentes, eisq; respectivè acceptantibus, &c. tunc dictus Reverendus Pater Dominus Episcopus London', cum consensu dictorum confratrum suorum sibi assiden', misit pro Prolocutore & sex aliis Domûs Inferioris ad introducendum Nomina è gremio suo Elect'. ad conveniend' cum Episcopis ultimâ Sessione respectivè elect'. de & super negotiis tunc tractat'. Quo Prolocutore, unâ cum sex aliis dictæ Domûs Inferioris advenien', dictus Prolocutor præsentavit dicto Reverendo Patri Domino Episcopo London' Schedulam quandam in papyro scriptam continen'. nomina Prælatorum & Cleri

Cant' in
the Ori-
ginal, by
Mistake.

Cleri domus Inferioris per eos electi, scilicet, Josephum Henschman Ciceſtren, Matthæum Nicholas Legum Doctorem Sancti Pauli London, Michaelem Honeywood S. Theol. Professore Lincoln, Robertum Creyton S. Th. Professore Wellen, Willielmum Brough, S. Th. Professore Glouc, Henricum Fearne, S. Th. Professor Elien, & Willielmum Paul Lichfield. respective Decanos; nec non Georgium Hall Cant. Anthonium Sparrow Sudbury, Robertum Pory Midd. Grindallum Sheafe Wellen, Johannem Peirson Surr, Marcum Frank Sancti Albani, Anthonium Hawles Sarum, & Jasperum Mayne Ciceſtren respective Archidiaconos; nec non Herbertum Thorndike, Josephum Crouther, Willielmum Brabant, Petrum Gunning, Johannem Sudbury, Johannem Priaux, Marten, Willielmum Fulleyn, Willielmum Heywood & Fleetwood S. Th. respective Professores, respective Procuratores Cleri infra suas respective Diocesces. Quibus nominibus per me Notarium Publicum, de mandato Reverendi Patris Presidentis antedicti publice perlecti, dictus Reverendus Pater acceptavit eorum respective nomina & personas, &c. & dimisit dictum Prolocutorem unâ cum Cœtu suo predicti. & tunc habito aliquo tractatu inter dictos Reverendos Patres, dictus Reverendus Pater Continuavit, &c. prout in Schedulâ, &c.

Sessio XII.

DIE Mercurij, 26 die Mensis Junij, inter horas 9 & 11 ante Meridiem ejusd' diei, &c. dictus Reverendus Pater, &c. post aliquod tractatum, &c. Continnavit, &c. prout in Schedulâ, &c.

Sessio XIII.

DIE Veneris 28. die Mensis Junij, inter horas 9 & 11. ante Meridiem ejusd' diei, &c. dictus Reverendus Pater Matthæus Elien' Episcopus, &c. post tractatum aliquod, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio XIV.

DIE Mercurij 3^o Viz. die Mensis Julij, inter horas 9 & 11 ante Meridiem ejusd' diei, &c. Reverendo Patre Domino Episcopo London' pro tribunali seden', assiden' secum Reverendis respectivè Patribus, nec non Durham' & Carliolen' respectivè assiden', dictus Reverendus Pater Dominus Episcopus London', unâ cum dictis Reverendis Patribus Confratribus suis tractatum de & super consideratione Actûs quoad Impressionem, &c. habuit; & ad eam intentionem dictus Reverendus Pater, cum unanimi consensu dictorum Confratrum suorum, octo
Episcopos

Episcopos è dicto gremio, nempe Du-
nelm', Robertum Oxon', Humfridum Sarum,
Benjaminum Petriburgen', Carliolen',
. Cestren', Edwardum Norwicen',
& Willielmum Glouc' respectivè Episcopos ele-
git; quibus, aut eorum tribus, dictus Reverendus
Pater, cum consensu prædict' commisit vices suas
ad effectum prædict'. ad conveniendum in aliquo
loco, seu aliquibus diebus per eos inter sese desig-
nandis; & deinde post aliud tractatum inter di-
ctum Reverendum Patrem & dictos Reverendos
Patres habit', & fact', dictus Reverendus Pater
Dominus Episcopus London', &c. continuavit, &c.
juxta Schedulam, &c.

Sessio XV.

DIE Veneris 5°. Viz. die Mensis Julij, inter
horas 9 & 11 ante Merid' ejusd' diei, &c.
dictus Reverendus Pater post aliquod tractat. &c.
continuavit, &c. juxta Schedulam, &c.

Sessio XVI.

DIE Mercurij, 10. Viz. die Mensis Julij, inter
horas 9 & 11 ante Merid' ejusd' diei, &c.
dictus Reverendus Pater, &c. post aliquod tractat. &c.
continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio XVII.

DIE Veneris 12. *Viz. die Mensis Julij, inter horas 9 & 11. ante Merid' ejusd' diei, &c. dictus Reverendus Pater, &c. post aliquod tract. &c. Continuavit, &c. juxta tenorem Schedulæ, &c.*

Sessio XVIII.

DIE Mercurij 17. *die Mensis Julij, inter horas 9 & 11 ante Merid' ejusd' diei, &c. precibus finitis & peractis, Reverendus Pater Dominus Episcopus London', unâ cum dictis respectivè Episcopis Confratribus suis secum assiden' pro tribunali sedebat, & tunc post aliquod tractat' inter se habit' Reverendus Pater Dominus Episcopus Sarum tam nomine suo proprio quam vices geren', &c. introduxit & præsentavit Domino Episcopo Præsidenti nonnullos Canones in papyro script' & exarat'. Quibus publicè perlect' & nonnullis Emendationibus in eisdem factis, Dominus Episcopus London. Præsident antedictus, cum consensu Confratrum suorum antedictorum, retradidit dictos Canones dicto Episcopo Sarum pro ulteriori consideratione desuper habendâ: & post alium paululum tractatum inter sese habit', & faci'. Continuavit, &c. juxta tenorem Schedulæ, &c.*

Sessio

Sessio XIX.

DIE Martis 19. *Viz. die mensis Julij, inter horas 9 & 11 ante Meridiem ejusdem diei, &c. Dominus Episcopus Glouc. presentavit Domino Prasidenti & ceteris Episcopis nonnullos Canones conceptos & in papyro scripti. Quibus publice perlectis, & nonnullis Emendationibus in eisdem factis, Dominus Episcopus London' Prasidens antedictus, cum consensu Confratrum suorum, retradidit eos dicto Domino Episcopo pro ulteriori consideratione & revisione eorundem habenda; & post tractatum aliquod inter se habuit & facti, &c. Continnavit, &c. juxta tenorem Scedulæ, &c.*

Sessio XX.

DIE Lunæ 22 die Mensis Julij, inter horas 9 & 11 ante Meridiem ejusdem diei, &c. Nonnullis Canonibus per Reverendos Patres, Willielmum Bathon' & Welken', & Johannem Warner Roffen'. Episcopos, tam nomine suo proprio quam aliis in ea parte Vicesgeren' & publice perlectis, Dominus Episcopus London' unâ cum consensu Confratrum suorum Episcoporum antedictorum, retradidit eos dictis respectivè Episcopis, & eorum Confratribus, pro ulteriori consideratione super eisdem habenda; & post aliquod tractatum inter sese habuit, & facti, Continnavit, &c. juxta tenorem Scedulæ, &c.

Sessio XXI.

DIE Mercurij 24 die mensis Julij, inter horas
9 & 11 ante Meridiem ejusdem diei, &c.
Reverendus Pater, &c. post nonnullum tracta-
tam, &c. Continuavit, &c. juxta tenorem Sche-
dulæ, &c.

Sessio XXII.

DIE Veneris 26 die mensis Julij, inter horas
9 & 11 ante Meridiem ejusdem diei, &c.
Reverendus Pater, &c. post aliquot tractat', &c. Con-
tinuavit, &c. juxta tenorem Schedulæ, &c.

Sessio XXIII.

DIE Sabbati 27 mensis Julij, inter horas
secundam & quartam post Meridiem, &c.
Reverendus Pater Dominus Episcopus London',
Præsident, &c. unâ cum dictis Confratribus suis
secum assiden'. pro tribunali sedebat; & factâ
prius Subscriptione per dictos respectivè Episcopos
pro Regali benevolentia Domino nostro Regi pra-
sentandâ, & post aliquot tractat', &c. Continua-
vit, &c. juxta tenorem Schedulæ, &c.

Sessio XXIV.

DIE Mercurij, ultimo, viz. die mensis Julij, inter horas 9 & 11 ante Meridiem ejusdem diei, &c. Reverendus Pater, &c. post aliquod tractat', &c. Continnavit, &c. juxta tenorem Schedulæ, &c.

Sessio XXV.

DIE Jovis 21 die Mensis Novembris, inter horas secundam & quartam, &c. Literæ Domini nostri Regis Domino Archiepiscopo Cant' directæ. & manu suâ, & sigillo suo privat' communis. fuerunt introductæ, & de mandato dicti Reverendi Patris publicè perlectæ per me Notarium Publicum antedict' ; dictusq; Reverendus Pater Presidens antedictus & ceteri Episcopi secum assidentes, cum omnimodâ reverentiâ, subiectione, & humilitate, easdem gratantèr acceptarunt & reseperunt ; & post intervallum temporis, dictus Reverendus Pater, de & cum consensu Confratrum suorum, ad eum accersiri jussit Prolocutorem, Prælatos, & Clerum Domûs inferioris. Quibus sese presentantibus coram dicto Reverendo Presidente ceterisq; Episcopis antedictis, modo (ut præfertur) secum assiden'. & in presentiis dicti Prolocutoris, Prælat', & Cleri Domûs Inferioris prædict' dicta litera Regia, de mandato dicti Presidentis per me Notarium Publicum antedictum fuerunt publicè perlectæ. Et deinde, dimisso Prolocutore,

cutore, cum Cœtu Domûs Inferioris, dictus Reverendus Pater unâ cum dictis Reverendis Patribus Confratribus suis tractatum & colloquium habuit de Revisione Libri publicarum Precum, &c. juxta potestat' & Libertat'. per easdem Regias eis concess. &c. Et ad eundem effectum, dictus Reverendus Pater, cum unanimi consensu Confratrum suorum, elegit Reverendos in Christo Patres Dunelmen', Matthæum Elien', Robertum Oxon', Johannem Roffen', Humfridum Sarum, Georgium Wigorn', Robertum Lincoln', & Willielmum Gloucestren'. & commisit vices suas eisdem, aut eorum tribus ad minus, ad procedendum in dicto negotio; & ordinavit eos ad conveniendum apud Palatium Reverendi Patris Domini Episcopi Elien'. hora quintâ post meridiem cujuslibet diei (exceptis diebus Dominicis,) donec dictum negotium perficiatur. Et postea consensum fuit inter dictos Episcopos pro meliori & citiori festinatione dicti negotij, ut dictus Liber Publicarum Precum revideatur in hac Domo pro prasenti; & magnâ parte ejusdem perfectâ & revisâ usq; ad dictus Reverendus Pater, &c. Continuavit, &c. juxta tenorem Schedulæ, &c.

Sessio XXVI.

DIE Veneris 22 die mensis Novembris, inter horas 8 & 9 ante Meridiem ejusd' diei, &c. Reverendus Pater, &c. post ulteriorem progressum Revisionis Libri publicarum Precum fact'. &c. Continuavit, &c. juxta tenorem Schedulæ, &c.

Sessio

Sessio XXVII.

Eodem die inter horas secundam & quartam post meridiem, &c. post ulteriorem progressum Revisionis Libri publicarum Precum per eos fact' dictus Dominus Episcopus London', &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XXVIII.

DIE Sabbati 23 die mensis Novembris, &c. inter horas 8 & 10 ante Meridiem, &c. Reverendus Pater, &c. post paululum tractat. de & cum consensu Confratrum suorum, ad eum accersiri jussit Prolocutorem solum; quo adveniente, dictus Reverendus Pater tradidit ei partem Libri publicarum precum per hujusmodi domum examinat'. & revis' & in mandatis dedit, ut dictus Prolocutor unà cum Clero dictæ Domus Inferioris dictam partem cum omni celeritate, quâ potuit, revideat, & emendet, si sit necessarium. Dictoq; Prolocutore dimisso, & ulteriori in Revisione residui libri publicarum precum progressu habit' & fact', dictus Reverendus Pater Continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio XXVIII.

Eodem die inter horas secundam & quartam post Meridiem, &c. Reverendus Pater, &c. ulteriorum progressum in Revisione Libri Publicarum precum fecit; & post aliquod tractat' dictus Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XXIX.

DIE Lunæ 25 die mensis Novembris, inter horas 8 & 10 ante Meridiem eiusdem diei, &c. ulteriori progressu in Revisione libri Publicarum precum [fact'] Dominus Præsident antedictus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XXX.

DIE Martis 26 die mensis Novembris, inter horas 8 & 10 ante Meridiem ejusd' diei, &c. dictus Reverendus Pater, &c. post ulteriorem progressum in Revisione libri Publicarum precum habet' & fact', &c. Continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio XXXI.

DIE Mercurij 27 die mensis Novembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. dictus Reverendus Pater, &c. post paululum tractat', de & cum consensu Confratrum suorum, ad eum accersiri jussit Prolocutorem solum. Quo adveniente, dictus Prolocutor retraxidit partem libri Publicarum Precum per Domum Inferiorem examinat'. & revis' una cum notulâ sive Schedulâ Emendationum sive Alterationum per eos fact'; quam notulam sive Schedulam obtulit Domino Prasidenti pro ejus & Confratrum suorum consideratione & consultatione, &c. Deinde, acceptatâ dictâ notulâ sive Schedulâ per dictum Prasidentem, dictus Prasidens dedit in manibus dicti Prolocutoris residuam partem libri publicarum precum, & requisivit dictum Prolocutorem ut ille unâ cum domo sua eundem omni cum celeritate revideat; & post revisionem ejusdem dicto Prasidenti retradat. Eôq; dimisso, ac dictâ Schedulâ in parte per dictum Prasidentem & Confratres suos secum assiden' lectâ & examinatâ, dictus Reverendus Pater Prasidens antedict', &c. Continnavit, &c. juxta Schedulam, &c.

Sessio XXXII.

DIE Jovis 28 Novembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Scheda sive alterat' aliâs per Prolocutorem nomine Domus

*mūs Inferioris introduct⁹, revis⁹ & examinat⁹
& parte Psalmorum Davidis perlect⁹ & recitat⁹.
idem Reverendus Pater Dominus Præsident, &c.
Continuavit, &c. juxta Schedulam, &c.*

Sessio XXXIII.

DIE Veneris 29 Novembris, inter horas 8
& 10 ante Meridiem ejusdem diei, &c. post
Revisionem aliquam libri de Consecratione Dia-
conorum, Presbyterorum & Episcoporum ha-
bit⁹ & fact⁹, dictus Reverendus Pater Præsident
antedictus, &c. Continuavit, &c. juxta Sche-
dulam, &c.

Sessio XXXIV.

DIE Lunæ 2^o die mensis Decembris, inter
horas 8 & 10 ante Meridiem ejusdⁱ diei, &c.
Præfatium sive Exordium libri publicarum precum
fuit introduct⁹ & publicè perlect⁹. & dictus Reve-
rendus Pater Præsident antedictus curam pro Exa-
minatione & Consideratione ejusdem Reverendis
Patribus Matthæo Elien⁹, Roberto Oxon⁹, Hum-
frido Sarum, & Georgio Asaphen⁹, respectivè
Episcopis, commisit; & post aliquod tractat⁹, &c.
dictus Reverendus Pater, &c. Continuavit, &c.
juxta Schedulam, &c.

Sessio

Sessio XXXV.

DIE Martis 3^o Decembris inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post paululum tractat^{us}, &c. dictus Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XXXVI.

DIE Mercurij 4^o die mensis Decembris, inter horas 8 & 10 ante Meridiem ejusd^e diei, &c. post tractatum, &c. dictus Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XXXVII.

DIE Jovis 5^o die mensis Decembris, inter horas 8 & 10 ante Meridiem ejusd^e diei, &c. Magister Pell introduxit Calendarium libro Publicarum precum annectendum; & post inspectionem ejusdem, dictus Reverendus Pater Præsidens antedictus, de & cum cum consensu Confratrum suorum, retulit & commisit examinationem & revisionem ejusdem Domino Episcopo Carliolen^{si}. Et deinde habito tractatu de Formâ Precum concipiendâ super alto Mari usitandâ & observandâ, idem Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XXXVIII.

DIE Veneris 6°. *Viz. die mensis Decembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Prefatio sive Exordio libri publicarum precum, per Episcopos seu eorum aliquos, quibus cura examinationis ejusdem fuit alias commissa, introducto, & in parte publicè perlecto, idem Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.*

Sessio XXXIX.

DIE Sabbati 7° *die mensis Decembris, inter horas 8 & 10 ante Meridiem ejusd' diei, &c. habito tractatu, &c. Continuavit, &c. juxta Schedulam, &c.*

Sessio XL.

DIE Lunæ 9° *Decembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Nonnullæ Emendationes concernentes funera & funeralia personarum super alto Mari deceden' & sepult', & Comminatione & mulierum parturien'. fuerunt introductæ & perlectæ, in aliquâ parte; Et hiis peractis, dicti Reverendi Patres unanimi consensu & assensu in votis dederunt pro unicâ Formâ Precum tam ante quàm post Sermo-*
nem

nem sive Orationem predicatam usitandâ & observandâ per Ministros intra Provinc. Cant'. & habito alio tractatu inter eos dictus Dominus Præsident, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XLI.

DIE Martis 10 die mensis Decembris, inter horas 8 & 10 ante Merid' ejusd' diei, &c. Nonnullis Emendationibus in comminatione in libro Publicarum precum mentionat' citra Introductione earundem, a Domo Inferiori introduct' per Episcopos fact. & post aliquot tractat'. desuper, Reverendus Pater Elien' Episcopus, de & cum consensu Confratrum suorum hujusmodi, voluit ad se accersiri Dominum Prolocutorem ad Revidend. dictas Emendationes. Quo adveniente, associat' cum venerabilibus viris Johanne Barwick, Decano Ecclesie Cathedralis Sancti Pauli London', & Brough Decano Glouc', dictus Locum-tenens ostendit dictas Emendationes, per Domum Superiorem, ut præfertur, fact', & tunc & ibidem perleçt', & ordinavit eum ad consulend' Domum suam Inferiorem de & super eisdem. Dictoq; Prolocutore dimisso, cum Confratribus suis, idem Locum-tenens, &c. Continuavit, &c. juxta tenorem Schedulæ, &c.

Sessio XLII.

DIE Mercurij 11 die mensis Decembris, inter horas 8 & 10 ante Merid' ejusd' diei, &c. post aliquot tractat. &c. Reverendus Pater Dom.

Matthæus Elien^r, &c. Continuavit, &c. juxta
Schedulam, &c.

Seſſio XLIII.

DIE Jovis 12 die mensis Decembris, inter
horas 8 & 10 ante Merid^m ejusdⁱ diei, &c.
Dominus Prolocutor cum consensu, ut afferebatur,
totius Domûs Inferioris ad Præsiden^m. & Domum
Superiorem missus est, ad petend^m se cum tribus vel
duobus aliis à domo Inferiori admitti ad Confe-
rend^m cum Dominis Episcopis in Domo suâ seden^t.
Dict^oq; Prolocutore una cum Brough
Decano Glouc. & duobus aliis Domûs Inferioris,
admisso, & adveniente, dictus Prolocutor presen-
tavit Domino Præsidenti & tradidit in mani-
bus suis nonnullas papyri Schedas, Emendationes
alicujus partis libri publicarum precum concernen-
tes; quibus perlectis, & habitâ consideratione di-
ligenti desuper, & approbatione earundem, di-
ct^oq; Prolocutore dimisso, idem Præsidentis ante-
dictus, &c. Continuavit, &c. juxta Schedu-
lam, &c.

Seſſio XLIV.

DIE Veneris 13 Decembris, inter horas 8 &
10, &c. Reverendus Pater una cum Con-
fratribus, &c. tractatum habuerunt de eligendo
personas aptas & idoneas tam ab hujusmodi Domo
quam à Domo Inferiori, pro diligenti Examinatione
& Revisione Libri publicarum precum & ad-
ministra-

ministrationis Sacramentorum, aliorumq; Rituum Ecclesiæ Anglicanæ, *debitâ formâ scripti & exarat*, & tandem idem Reverendus Pater, de & cum consensu confratrum suorum, nominavit, & commisit curam pro Examinatione & Revisione ejusdem Reverendis Patribus Humfrido Sarum, Georgio Asaphen, Richardo Carlolen, & Willielmo Glouc' respectivè Episcopis, nomine Domûs Superioris; nec non Prolocutor Domûs Inferioris nominat. commisit curam Roberto Pory, Johanni Pearson Sparrowe, S. Theol. respectivè Professoribus, nomine Domûs Inferioris; & deinde nonnullis Emendationibus aliàs in Prefatio dicti Libri Publicarum Precum, &c. facti & introducti, nec non quibusdam novis Collectis publicè perlectis & revisis, idem Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XLV.

DIE Sabbati 14. Viz. die mensis Decembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendus Pater Dominus Episcopus Norwicen' intraduxit & in manus Domini Præsidentis tradidit formam cujusdam Precis aliàs per eum concept. concern'. Deo gratias pro generalibus Misericordiis publice usitand': quâ Prece publicè perlectâ, & post aliquot tractat. desuper habiti & facti, idem Reverendus Pater Dominus Præsident antedicti, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio XLVI.

D^IE Mercurij 18 Decembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post tractat, &c. dictus Reverendus Vir, Præsident antedictus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XLVII.

D^IE Jovis 19 Decembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. habito tractatu inter eos de Forma Subscriptionis libro Publicarum Precum per eos faciend^o. tandem idem Reverendus Pater, &c. de & cum consensu Confratrum suorum predict^o. commisit curam & considerationem concipiendi dictam formam Reverendis in Christo Patribus Johanni Dunelmen^o, & Humfrido Sarum, respectivè Episcopis, una cum Doctore Chaworth Vicario in Spiritualibus generali Domini Episcopi London. nec non Doctore Burrell, Vicario in Spiritualibus generali Domini Episcopi Dunelmen^o assisten^t & tunc post tractatum, &c. dictus Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Postea, nempe inter horas secundam & quartam post meridiem ejusdem diei, dicti Reverendi viri Dominus Johannes Dunelmen^o & Humfridus Sarum respectivè Episcopi, unà cum dictis respectivè Cancellar^o & Vicariis in Spiritualibus Generalibus predict^o apud Officium Registrarij Principalis Domini

mini Archiepiscopi Cant' intra Parochiam S. Gregorij London', sit', Convenerunt; & in presentis mei Willielmi Filher & Francisci Mundy, Notariorum respectivè publicorum, inspectis prius nonnullis Recordis & Libris antiquis, & Archivis ibidem remanen' & fidelitèr custodit', dicti Reverendi Patres Formam Subscriptionis Libro Publicarum Precum faciend', unanimi consensu & assensu conceperunt, & desuper concordarunt.

Sessio XLVIII.

DIE Veneris 20 Decembris, inter horas 8 & 10 ante Merid' ejusdem diei, &c. Librum Precum publicarum, Administrationis Sacramentorum, aliorumq; Rituum Ecclesie Anglicane, una cum formâ & modo Ordinandi & Consecrandi Episcopos, Presbyteros, & Diaconos, (juxta literas Regie Majestatis eis in hac parte directas revissum & paginas continen'. & per Reverendissimum in Christo Patrem & Dominum Dominum Guilielmum Providentiâ Divinâ Cant' Archiepiscopum, totius Anglia Primatem & Metropolitanum prius redact'. recept' approbat' & subscript';) dicti Episcopi ejusdem Provinciae in Sacra Provinciali Synodo legitime congregati unanimi assensu & consensu in formam redegerunt, receperunt, & approbârunt, eisdemq; subscripserunt. Et postea omnes Episcopi prædicti tunc presen' & congregat', exceptis Reverendis Patribus Dominis Oxon', Asaphen', & Landaven' Episcopis, ad Domum Parliamenti sese contulerunt, & dictos respectivè Episcopos in dicta domo Convocationis reliquerunt ad videndum Clerum Inferioris Domûs

Convoca-

Convocationis dicto libro subscribere; dictoq; Clero unanimi consensu subscribente idem Reverendus Pater Robertus Oxon' Episcopus, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio XLIX.

Eodem die inter horas primam & quartam post Meridiem, &c. Reverendus Pater, &c. post tractatum, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio L.

Octavo die mensis Januarij, &c. inter horas 8 & 10 ante Meridiem ejusdem diei, &c. habito tractatu de & super Revisione Canonum sive Constitutionum in Anno Domino 1640. edit²; & consideratione desuper, quinam eorundem fuerunt aut sunt debite & idonee observand² & usitand²; idem Reverendus Pater, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio LI.

DIE Veneris 10 Januarij, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post tractatum, &c. Reverendus Pater, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio

Sessio LII.

DIE Mercurij 15 Januarij, inter horas 8 & 10 ante Meridiem ejusd' diei, &c. post tractatum, &c. Reverendus Pater & Dominus Robertus, &c. Oxon. Episcopus, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio LIII.

DIE Veneris 17 Januarij, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. inter sese tractatum iidem Episcopi habuerunt de Revisione Canonum & Constitutionum alias edit'. & provis' & Dominus Episcopus London', de & cum consensu Confratrum suorum, commisit curam & Revisionem eorundem Willielmo Bathon' & Wellen', Roberto Oxon', Georgio Asaphen', Benjamine Petriburgen', Roberto Lincoln', Richardo Carliolen', Edwardo Norwicen', & Willielmo Glouc. respectivè Episcopis; & post alium tractat' inter eos habit' & fact' idem Reverendus Pater, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio LIV.

DIE Mercurij 22 Januarij, inter horas 8 & 10 ante Merid' ejusd' diei, &c. post tractat. &c. Reverendus Pater amedictus continuavit, &c. juxta Schedulam, &c.

M m

Sessio.

Sessio LV.

DIE Veneris 24 Januarij, inter horas 8 & 10 ante Meridiem ejusd' diei, &c. habito tractatu de & super Revisione Canonum & Constitutionum aliàs ultima Sessione proposi't, idem Reverendus Pater, de & cum expresso & unanimi consensu omnium & singulorum membrorum dictæ Domus Superioris, statuit & ordinavit, quòd omnes ceteri Episcopi non adhuc nominati, Reverendis Viris Episcopis aliàs ultimâ Sessione nominat' & assignat', in diligenti Revisione & Examinatione dictorum Canonum & Constitutionum præd' adjungerentur; Et hoc factò, Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LVI.

DIE Mercurij 29 Januarij, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. habito tractatu inter eos de & super Actu Parlamenti Librum Publicarum Precum, &c. concernen', idem Reverendus Vir, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LVII.

DIE Veneris ultimo Januarij, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. questio oriebatur inter Episcopos congregatos & assidentes,

dentes, an tutum, licitum aut consentaneum fuit pro Dominis Episcopis ad sedend' aut eorum presen'. exhibend' in domo Procerum Parliamenti, cum & quando negotium circa personas condemnatas pro Proditione nefanda, in Domo Parliamenti inter Proceres ageretur; & post multa argumenta inter eos habit', & fact', & concordatum & ordinatum fuit, de & cum consensu totius Domus, ad consulend' Juris peritos tam in Foro Saculari quam in Curiis Civilibus & Ecclesiasticis versatos de & super dictâ questione sive argumento prad' erga prox. Conventionem, & deinde dictus Reverendus Pater, &c. Continnavit, &c. juxta Schedulam, &c.

Seffio LVIII.

DIE Sabbati 1^o Februarij, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Notitiâ Domino Episcopo London' de attendentiis nonnullorum Jurisperitorum in Jure civili datâ, extra domum Convocationis; dictus Dominus Episcopus London' de & cum consensu Confratrum suorum, eos ad exhibendum eorum presentias coram Convocatione petiit. Et tunc comparuerunt Dominus Willielmus Merrick Miles, Robertus King, Dominus Edwardus Lake, Burrell, & Johannes Berkenhead, Legum respectivè Doctores; & post nonnullas quaestiones & argumenta inter dictos Episcopos & Jurisconsultos habit' & fact' de & super eorum presentis in Domo Procerum super personis condemnatis, iidem omnes & singuli Jurisperiti unanimi consensu eorum respectivè Opiniones in scriptis dederunt, D'ctos Episcopos in domo Parliamenti unâ cum Proce-

M m 2

ribus

ribus circa negotium personarum condemnatarum
tutissimè & sine ullo detrimento aut præjudicio se-
dere, & eorum præsentias exhibere posse; & eidem
scripto manus suas subscripserunt, & dictum scri-
ptum sic subscriptum dicto Domino Episcopo Lon-
don' tradiderunt. Et, hoc factò, dictus Dominus
Præsident, nomine totius Domus, gratias dictis
Jurisconsultis agebat; quibus dimissis, Dominus
Episcopus London', &c. Continuavit, &c. juxta
Schedulam, &c.

Seffio LIX.

DIE Mercurij 5^o Februarij, inter horas 8 &
10 ante Meridiem ejusdem diei, &c. post
tract' &c. Reverendus Pater Gulielmus Bathon'
& Wellen' Episcopus, &c. Continuavit, &c. juxta
Schedulam, &c.

Seffio LX.

DIE Veneris 7^o Februarij, inter horas 8 &
10 ante meridiem ejusdem diei, &c. post
tractatum, &c. Reverendus Pater Robertus Oxon.
Episcopus, &c. Continuavit, &c. juxta Sche-
dulam, &c.

Seffio LXI.

DIE Veneris 14 Februarij, inter horas 8 &
10 ante meridiem ejusdem diei, &c. post
tractatum, &c. Reverendus Pater Robertus Oxon.
Episcopus, &c. Continuavit, &c. juxta Sche-
dulam, &c.

Seffio

Sessio LXII.

DIE Martis 18 Februarij, inter horas 8 & 10 ante meridiem ejusdem diei, &c. Reverendus Pater Præsident, de & cum consensu Confratrum suorum, voluit ad se accersiri Cleros Domus Inferioris Convocationis, quibus advenientibus, Dictus Dominus Præsident antedictus (verbis Latinis conceptis) eosdem Cleros dictæ Domus Inferioris monuit quatenus ad solitum & consuetum Conventus sui locum sese conferentes, unum virum gravem, doctum, & peritum, de gremio suo provideant & eligant in eorum Prolocutorem & Referendarium in loco Reverendi Viri Henrici Fearnæ S. Theol. Professoris, ultimi Prolocutoris, ratione Promotionis suæ ad Episcopatum Cestren' jam vacan', & ipsum sic Electum exhibeant coram eo hoc in loco immediate post Electionem suam factam. Quibus dimissis, ad locum solitum suum, ad effectum eligendi virum gravem & doctum de gremio suo, in eorum Prolocutorem sive Referendarium, sese conferebant, & post aliquot tractat' inter Episcopos habit' & fact', Reverendus Vir Thomas Turner S. Th. Professor, Decanus Ecclesiæ Cathedralis & Metropolitana Christi Cant' & Johannes Earles S. etiam Theol. Professor, Decanus Ecclesiæ Collegiatae B. Petri Westm' unâ cum cætu Domus Inferioris, Præsentarunt & Exhibuerunt & sisti fecerunt Venerabilem Virum Johannem Barwick S. Th. Professore in Prolocutorem totius Cætus prædict. Domus Inferioris unanimiter electum, vice totius Cætus prædict'; & præmissâ facundâ & eleganti oratione per dictum Decanum Westm', & factâ
alia

aliâ facundâ oratione in latinis verbis concept'. per eundem Prolocutorem sic præsentatum, præfatus Reverendus Pater Dominus Episcopus London' de consensu Confratrum suorum prædict'. eundem Johannem Barwick, S. Th. Professore electum, & Electionem prædict'. de personâ suâ in Prolocutorem sive Referendarium, per aliam venustam & eloquentem orationem Latinam commendavit & approbavit. Tunc, dimisso Prolocutore, cum Cœtu Domûs Inferioris, & habitâ consultatione de casu Sacerdotum Catholicorum Romanorum præsentato & perlecto, Dominus Episcopus London', &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXIII.

DIE Sabbati, 22° Febr. inter horas 8 & 10 ante Merid' ejusdem diei, &c. Reverendus Pater, &c. tractatum inter eos habuit de & super Revisione Canonum & Constitutionum aliâs in Anno Domini 1640. in Convocatione tunc congregat' edit' & provis' & post aliquot tractat' desuper Dominus Episcopus London' de consensu Confratrum suorum curam diligentis Revisionis & Examinationis eorundem Reverendis Viris Domino Roberto Oxon', Humfrido Sarum', Georgio Wigorn', Georgio Asaphen', Richardo Carliolen', Herberto Herefordien', & Briano Cestren' respectivè Episcopis; & pro meliori curâ desuper habend' ordinavit eos ad conveniend' die Luna prox. in Camerâ communiter vocat Jerusalem-Chamber intra Collegium B. Petri Westm', sit' & situat'. Hiisq; sic gestis, & curâ concipiendi Articulos in Visitationibus observandos Domino Johanni Episcopo Dunelmen' commissâ & relatâ; dictus Dominus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXIV.

DIE Jovis 27. Febr. inter horas 8 & 10 ante Merid. ejusdem diei, &c. post tractatur, &c. Reverendus Pater Dominus Episcopus Dunelmensis Locumtenens, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXV.

DIE Lunæ 3. Martij inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post tractat' &c. Reverendus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXVI.

DIE Mercurij 5 Martij inter horas 8 & 10 ante Merid. ejusdem diei, &c. Reverendus Pater Dominus Robertus Oxon. Episcopus, &c. tractatum habuit inter eos circa nonnullas Emendationes sive Alterationes aliàs in libro Publicarum Precum per Domum Parliamenti fact', & dictus Dominus Episcopus London' de & cum consensu Confratrum suorum, curam Revisionis earundem Alterationum Reverendis Viris Georgio Asaphen', Richardo Carliolen', Briano Cestren' respectivè Episcopis conjunctim & divisim, & eis conjunctim & divisim dedit potestatem & Commissionem nomine totius Domus Superioris Convocationis ad emendand' & corrigend' easdem alterationes, &c. His gestis dictus Dominus Præfatus

dens cum consensu Confratrum suorum, jussit me ad accersend' Dominum Prolocutorem, &c. Quo adveniente, cum tribus vel duobus Domûs Inferioris, Dominus Præsidentis antedictus declaravit ei quid per dictos Episcopos fuerat actum de & super dictis alterationibus, & quibus cura desuper commissa fuerat; & instantèr rogavit se eadem communicasse Domo Inferiori, ut eorum consensus desuper habeatur. Unde dicto Prolocutore, cum ejus Associatis, ad domum Inferiorem redeunte, & habito tractatu inter Cleros desuper, omnes & singuli Cleri dictæ Domûs Inferioris, in præsentia mei Willielmi Fisher, Notarii Publici, &c. unanimiter eorum Consensum præbuerunt omnibus & singulis per dictos Dominos Episcopos circa Alterationes prædict' fact', salvis eorum Privilegiis, &c. Et hiis sic gestis, Dominus Episcopus London', &c. Continuavit, &c. juxta Schedulam, &c.

Seffio LXVII.

DIE Sabbati 8° Martii, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendus Vir Dominus Johannes Dunelmen' Episcopus, secundum Mandatum ei datum & curam ei commissam, introduxit & tradidit in manus Domini Præsidentis librum Articulorum Visitationem concernen', alias per eum concept'; & unanimiter assensum fuit, ut iidem Articuli Domino Archiepiscopo Cant' destinarentur pro ejus perlectione & debita consideratione eorundem, & pro eorum Emendatione, Reformatione & Correctione suâ. Hoc facto, tractatum inivit de & super Impresione libri Publicarum Precum, & post intervallum temporis, Dominus Episcopus London, &c.

de

de & cum consensu Confratrum suorum, constituit
& ordinavit Doctorem Sandcroft esse Superviso-
rem, & Magistros Scatter-
good & Dillingham esse Correctores dicti Libri
in Impressione ejusdem. Hiis peractis, Dominus
Episcopus London' Continuavit, &c. juxta Sche-
dulam, &c.

Sessio LXVIII.

DI E Martis 11 Martij, inter horas 8 & 10
ante Merid' ejusd' diei, &c. post tracta-
tum, &c. Reverendus Pater, &c. Continuavit, &c.
juxta Schedulam, &c.

Sessio LXIX.

DI E Sabbati 15 Martij, inter horas 8 &
10 ante Merid' ejusd' diei, &c. post tra-
ctat'. &c. Reverendus Pater Dominus Robertus
Oxon' Episcopus, &c. Continuavit, &c. juxta Sche-
dulam, &c.

Sessio LXX.

DI E Martis 18 Martij, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. post tra-
ctatum, &c. Reverendus Pater, &c. cum con-
sensu confratrum suorum, ad eum accersiri jussit
Prolocutorem, Pralatos, & Clerum Domus Infe-
rioris. Quibus advenientibus, dictus Reverendus
Pater cum consensu, &c. publice significavit &
intimavit eisdem Prolocutori, Pralatis & Clero
N n ante

antedictis Librum Precum Publicarum, Administrationis Sacramentorum, aliorumque Rituum Ecclesie Anglicanae, unà cum Forma & Modo Ordinandi & Consecrandi Episcopos, Presbyteros, & Diaconos (alias per Reverendos Patres, & Praelatos & Clerum Domus Inferioris Convocationis, juxta Literas Regia Majestatis eis in eà parte directas, revisum) per Proceres & Magnates in Parlamento congregat', fuisse & esse gratanter acceptatum; & Honorandum Virum Dominum Edwardum Dominum Cancellarium Angliae, tam nomine suo proprio, quam nomine totius Domus Procerum & Magnatum in Parlamento (ut praefertur) congregat', maximas gratias Archiepiscopis & Episcopis utriusq; Provinciae, pro eorum magna curâ & industriâ in & circa Revisionem dicti libri Publicarum Precum, &c. dedisse & praebuisse. Et insuper dictus Reverendus Pater declaravit quòd dictus Honorandus Vir Dominus Cancellarius Angliae voluit se Reverendum Patrem, nomine totius domus Procerum & Magnatum praedict', ad reddend' & praebend' gratias Prolocutori, Praelatis & Clero Domus Inferioris Convocationis praedict', pro eorum respectivè simili curâ & labore in & circa Revisionem libri praedict'. Et tunc, dicto Prolocutore & toto Cœtu Domus Inferioris dimissis, dictus Reverendus Pater, &c. Continuavit, &c. prout in Schedulâ, &c.

Sessio LXXI.

DIE Sabbati 22 Martii, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. habito Tractatu inter eos de speciali forma concipiend'

in & circa Consecrationem Ecclesiarum Parochialium & quāviscūq; Capellarum intra hoc Regnum Angliæ, quoties & quādocūq; evenierit eas benedicend^o. fore; dictus Dominus Episcopus London^o, &c. de & cum consensu Confratrum suorum curam in & circa conceptionem formæ prædictæ Reverendo Patri Domino Johanni permissione divinâ Dunelm^o Episcopo unanimiter commisit; & post alium tractatum, idem Reverendus Pater Continuavit, &c. juxta Schedulam, &c.

Sessio LXXII.

DIE Jovis 27 Martij, 1662. inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post tractatum, &c. Reverendus Pater Dominus Robertus Oxon^o Episcopus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXXIII.

DIE Jovis 3^o Aprilis, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post Tractatum, &c. Reverendus Pater Dominus Episcopus Oxon^o, &c. post Tractatum, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXXIV.

DIE Mercurij 9^o Aprilis, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post tractatum, &c. Reverendus Pater, [Robertus Oxon^o Episcopus] &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXXV.

DIE Sabbati 12 Aprilis, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Habito tractatu de Subscriptionibus Clericorum Instituentorum & Ludimagistrorum licentiandorum, & tribus Articulis 36 Canone, &c. Dominus Episcopus London' Præsident, &c. de & cum consensu, &c. curam commisit Reverendis Patribus Dominis Episcopis Sarum, & Coven' & Lichen', ad consulend' Jurisperitos de concipiend' forma in scriptis in & circa subscriptionem prædict. Et hoc facto, ulterius tractatum habuit de eligendo personas aptas & idoneas ad corrigend' Impressionem libri Publicarum Precum; quòdque post impressionem dicti libri factam Episcopi cujuslibet Diœceseos curam in sese suscipiunt ad recipiend' eosdem libros, & ad procurand' eosdem publicari & asportari Ecclesiis Parochialibus separalibus in eorum respective Diœcesibus. Et deinde Dominus Episcopus London' Continuavit, &c. juxta Schedulam, &c.

Sessio LXXVI.

DIE Mercurij 16 Aprilis, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post tractatum, &c. Reverendus Pater, [Robertus Oxon' Episcopus] &c. Continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio LXXVII.

DIE Sabbati 19 Aprilis, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. post tractat', &c. Reverendus Pater [Robertus Oxon' Episcopus] &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXXVIII.

DIE Lunæ 21 Aprilis, inter horas 8 & 10 ante meridiem ejusdem diei, &c. Reverendus Pater, &c. tractat' habuit cum confratribus suis de Imprimendo libro Publicarum Precum ante 24 diem mensis Augusti prox. nec non de recipiend'. Directionibus à Damno Cancellario Anglia, quibus mediis verbum Children in loco Persons (not baptized) per Domum Communitatis Parliamenti in libro Publicarum Precum inseratur. Et hoc facto Dominus Episcopus London' de & cum consensu Confratrum suorum decrevit & ordinavit, quod Dominus Episcopus Dunelmen' in loco Domini Episcopi Cestren' modò defunct', Dominis Episcopis in & circa Alterationes dicti libri Publicarum Precum 5 Martij ult' elaps'. assignatis, adjungeretur; & ulterius statuit, quod nulla Ordinationes Clericorum per aliquos Episcopos fierent, nisi intra quatuor tempora pro Ordinationibus assignata; quodq; nullus Episcopus extra Diœcesin suam aliquos Clericos ad Sacros vel Diaconatûs vel Presbyteratûs Ordines admitteret, nisi prius literis dimissoriis à Reverendissimo Patre Cant' Archiepiscopo obtentis. Et hoc facto, dictus Dominus Episcopus London', de & cum
con-

consensu Confratrum suorum, &c. Curam & Revisionem libri Publicarum Precum concernen'. 5 diem Novembris, Reverendo Patri Domino Episcopo Dunelmens' commisit, & continuavit, &c. juxta Schedulam, &c.

Sessio LXXIX.

DIE Mercurij 23 Aprilis inter horas 8 & 10 ante meridiem ejusdem diei, &c. post tractatum, &c. Reverendus Pater Continuavit, &c. juxta Schedulam, &c.

Sessio LXXX.

DIE Sabbati 26 Aprilis, inter horas 8 & 10 ante merid' ejusd' diei, &c. Forma Precum pro 5 Novembris, 30 Januarij, & 29 Maij, fuerunt introducta & publicè perlecta, & unanimi consensu approbata. Et tractatu inter eos habit' & fact' de Translatione libri Publicarum Precum in sermonem Latinum, Dominus Episcopus London, &c. de & cum consensu Confratrum suorum, &c. curam Translationis ejusdem Reverendis Viris Johanni Earle Decano B. Petri Westm' & Johanni Peirson sacra respectivè Theologia Professoribus commisit. Et hoc facto, dict' Dominus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXXXI.

DIE Mercurij ultimo; viz. Aprilis, inter horas 8 & 10 ante merid' ejusd' diei, &c. post tractatum, &c. Reverendus Pater Continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio LXXXII.

DIE Veneris 2 Maij, inter horas 8 & 10 ante merid' ejusd' diei, &c. post tractatum, &c. Reverendus Pater Continuavit, &c. juxta Schedulam, &c.

Sessio LXXXIII.

DIE Lunæ 5 Maii, inter horas 8 & 10 ante merid' ejusd' diei, &c. post tractatum, &c. Reverendus Pater Continuavit, &c. juxta Schedulam, &c.

Sessio LXXXIV.

DIE Mercurij 7 Maij, inter horas 8 & 10 ante merid' ejusd' diei, &c. post tractatū, &c. Reverendus Pater, [Robertus Episcopus Oxon'] &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXXXV.

DIE Sabbati 10 Maii, inter horas 8 & 10 ante merid' ejusd' diei, &c. Habito tractatu ex directione Domus Communitatis Parliamenti de Reverentiâ solenni inter Liturgiæ Publicæ celebrationem, nec non tempore Sermonum & Homiliarum adhibendâ; major pars dictæ Domus Superioris Convocationis, in votis dedit, ut Constitutio in libro Constitutionum sive Canonum Ecclesiasticorum aliàs in Anno Domini 1603. sub titulo De solenni Reverentiâ inter Liturgiæ publicæ celebrationem

brationem, Edit'. & Provis'. dicta Domui Communitatis Parlamento presentetur; habitâ prius consideratione de & super dicto Canone per Domum Inferiorem hujusmodi Convocationis. Et hoc facto, Dominus Præsident antedictus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio LXXXVI.

DIE Lunæ 12 Maii, inter horas 8 & 10 ante Merid' ejusd' diei, &c. Constitutio sive Canon de Reverentiâ tempore divinorum adhibendâ, aliâs ultimâ Sessione in hac domo tractat'. à Domo Inferiori Convocationis unâ cum nonnullis Alterationibus sive Emendationibus per eos factis, fuit introduct', dictôq; Canone, unâ cum dictis emendationibus publicè perlectis, eadem Constitutio fuit unanimi consensu & assensu totius Domûs Superioris approbat'. & confirmat'. Et hoc facto, dictus Dominus continuavit, &c. juxta Schedulam, &c.

Sessio LXXXVII.

DIE Mercurij 14 Maii, inter horas 3 & 5 post Merid' ejusd' diei, &c. post tractatum, &c. Reverend' Pater Gulielmus Bathon' & Wellen', &c. Continuavit, &c. juxta, Schedulam, &c.

Sessio LXXXVIII.

DIE Veneris 16 Maii, inter horas 8 & 10 ante Merid' ejusd' diei, &c. post tractat', &c. Reverendus Pater Gulielmus Bathon' & Wellen', &c. Continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio LXXXIX.

DI E Lunæ 19 Maii, inter horas 8 & 10 ante Merid' ejusd' diei, &c. post Tractatum, &c. Reverendus Pater [Gulielmus Bathon' & Wellen'] &c. Continuavit, &c. juxta Schedulam, &c.

Sessio XC.

DI E Martis 20 Maii, inter horas 9 & 11 ante Merid' ejusd' diei, &c. Exhibito Brevis Regio, nec non literis Commissionibus Domini Archiepiscopi Cant', & per me publicè de Mandato Domini Willielmi Bathon' & Wellen' Episcopi locum-tenentis, &c. perlectis; dictus Dominus, &c. acceptavit in se onus Executionis dicta Commissionis, & decrevit procedendum fore juxta tenorem & effectum ejusdem, &c. & juxta tenorem dicti Brevis Regii Continuavit, &c. prout in Schedulâ, &c.

Sessio XCI.

DI E Jovis 19 die mensis Februarii, Anno Domini 1662. juxta, &c. inter horas 2 & 4, &c. Reverendus Pater, &c. post tractatum secretum per tres horas aut eò circiter, &c. Continuavit, &c. prout in Schedulâ, &c.

Sessio XCII.

DI E Mercurij 25 Februarii inter horas 2 & 4 post Meridiem ejusdem diei, &c. Reverendus
O O Pater

Pater Dominus Robertus Oxon' Episcopus, &c. Continnavit, &c. prout in Schedulâ, &c.

Sessio XCIII.

DIE Jovis 5 Martii, inter horas 2 & 4 post Merid' ejusd' diei, &c. Reverendus Pater, &c. Tractatum habuit de & super Composito de
; dictusq; Compositus fuit relatus considerationi Reverendorum in Christo Patrum Humfridi Sarum, & Georgii Asaphen' Episcoporum, &c. Et hoc facto, dictus Reverendus Pater, &c. Continnavit, &c. prout in Schedulâ, &c.

Sessio XCIV.

DIE Jovis 12 Martii, inter horas 2 & 4 post Meridiem ejusd' diei, &c. Dominus Robertus Oxon', &c. Continnavit, &c. prout in Schedulâ, &c.

Sessio XCV.

DIE Jovis 19 Martij, inter horas 2 & 4 post Merid. ejusdem diei, &c. Reverendus in Christo Pater Dominus Robertus Oxon', &c. Continnavit, &c. prout in Schedulâ, &c.

Sessio XCVI.

DIE Sabbati 28 Martii 1663. inter horas 8 & 10 ante Merid' ejusd' diei, &c. Habito
**Grammaticali in the tractatu de & super confectione Libri Grammaticalis tam in linguâ Latinâ quam *Gracâ adhibend'.*
Original. in

in qualibet Scholâ Grammaticali; relatum fuit Prolocutori Domus Inferioris ad concipiend' dictum Librum, & ad consulend'. desuper quascunq; personas, prout ei conveniens fuerit, exceptis cum Ludimagistris & Pædagogis, &c. Et hoc fact'o dictus Reverendus Pater, &c. Continnavit, &c. prout in Schedulâ, &c.

Sessio XCVII.

D^IE Sabbati 4 Aprilis inter horas 8 & 10 ante Merid' ejusd' diei, &c. habitâ consideratione de perficiendo Compoto Doct'oris Bargrave licet absen' usq; ad primam Sessionem prox. futur' post Festum Pasche prox. Reverendus Pater [Robertus Oxon'.] &c. Continnavit, &c. prout in Schedulâ, &c.

Sessio XCVIII.

D^IE Sabbati 11 Aprilis, inter horas 8 & 10 ante Merid' ejusd' diei, &c. Reverendus Pater Robertus Oxon' Episcopus, &c. Continnavit, &c. prout in Schedulâ, &c.

Sessio XCIX.

D^IE Martis 14 Aprilis inter horas 2 & 4 post Meridiem ejusdem diei, &c. Exhibitis literis Commission'alibus, &c. iisdemq; de mandato dicti locum-tenentis per me perlectis, dictus Reverendus Pater, &c. Onus Exequutionis earundem in se acceptavit, & decrevit procedendum fore juxta tenorem earundem, &c. Et continuavit, &c. prout in Schedulâ, &c.

Sessio C.

DIE Sabbati 2 Maii, inter horas 8 & 10 ante Merid' ejusd' diei, &c. Dominus Episcopus London' Locum-tenens, &c. unâ cum confratribus suis, &c. habito prius tractatu de & super impetratione Formæ quoad Consecrationem Ecclesiarum, Capellarum, aliorumque locorum Ecclesiasticorum, &c. tradend' Domino Episcopo Dunelm', &c. ad perficiend' dictum opus, &c.) Continuavit, &c. prout in Schedulâ, &c.

Sessio CI.

DIE Sabbati 9 Maii, inter horas 8 & 10 ante Merid' ejusdem diei, &c. Reverendus Pater, &c. Oxon' Episcopus Continuavit, &c. prout in Schedulâ, &c.

Sessio CII.

DIE Sabbati 16 Maii, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendus Vir Dominus Locumtenens [Oxon. Episcopus] &c. Continuavit, &c. prout in Schedulâ, &c.

Sessio CIII.

DIE Sabbati 23 Maii, inter horas 8 & 10 ante Meridiem ejusd' diei, &c. habito secreto tractatu, me absente ex mandato dicti Locum-tenentis, dictus Dominus, &c. Continuavit, &c. prout in Schedulâ, &c.

Sessio

Et Continuat' Ann. 1663.

Sessio CIV.

DIE Sabbati 30 Maii, inter horas 8 & 10
ante Meridiem ejusd' diei, &c. habito tra-
ctatu de & super libro Grammaticali, &c. &
vocato Magistro Syllack, eóq; requisito ad confi-
ciend' acquietantiam legalem pro pecuniarum sum-
ma per eum à Doctore Bargrave recept', & ad
introducend'. eandem hoc in loco prox. Sessione; idem
Reverendus Pater, &c. Continnavit, &c. prout in
Schedulâ, &c.

Sessio CV.

DIE Sabbati 13 Junii, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. exhibitis
& presentatis literis Commissionabilibus Venerabilium
Virorum Dominorum Decani & Capituli Ecclesie
Cathedralis Christi Cant' (ad quos omnis & omni-
moda Jurisdictio Spiritualis & Ecclesiastica quæ ad
Archi-episcopum Cant' sede plenâ pertinnit, ipsa
sede jam vacante notoriè dignoscitur pertinere,
iisdemq; literis, de mandato Præsidentis publicè
perlectis, dictus Reverendus Pater Gilbertus Lon-
don'. Episcopus, Præses, &c. acceptavit in se onus
Exequutionis earundem; & decrevit procedend'
fore juxta, vim, formam, tenorem, & effectum ea-
rundem; Et hoc facto idem Reverendus, &c. Con-
tinnavit, &c. prout in Schedulâ, &c.

Sessio CVI.

DIE Sabbati 20 Junii, inter horas 8 & 10
ante meridiem ejusdem diei, &c. presentatâ
substi-

substitutione Domini Prasiden', &c. eaq; publicè lectâ, Forma Consecrationis Ecclesiarum & Capellarum fuit per Prasiden' &c. introducta; & relata fuit curâ Reverendorum Virorum Domini Roberti Oxon', Humfridi Sarum, Roberti Lincoln', & Johannis Coven' & Lichen', respectivè Episcoporum, pro diligenti Revisione ejusdem, & hoc factò dictus Reverendus Pater, &c. Continuavit, &c. prout in Schedulâ, &c.

Sessio CVII.

DIE Sabbati 27 Junij, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendus Pater, &c. ad se accersiri fecit Prolocutorem, unâ cum toto Cœtu Domûs Inferioris. Quibus comparentibus idem Reverendus Pater, &c. unâ cum Confratribus suis prædict' (ut præfertur) comparerent. Tractatum habuit, & convenit de quatuor Subsidiis Illustrissimo Domino Nostro Regi per ipsos concedendis, juxta Ratam quatuor solidorum de quâlibet librâ, sub certis conditionibus & provisionibus in quodam libro desuper concipiend'.; ac de solvendo dicta subsidia infra terminum quatuor annorum proximè sequen'. unum integrum subsidium eorundem solvendum ad Festum Natalis Domini Nostri Jesu, & residuum eorundem solvendum quolibet dimidio anni ex tunc sequen'. Eosdemq; Prolocutorem & totum Cœtum Domûs Inferioris rogavit, ut in Testimonium singularis eorum obedientia & obsequii erga Dominum Nostrum Regem, concessioni hujusmodi eorum consensus præberent, habito prius tractatu inter eos de eisdem. Ac tunc præfatus Reverendus Pater, &c. de & cum consensu Confratrum suorum, in Examinatores & Correctores libri subsidiorum prædict' Reverendos Patres Georgium

Georgium Winton', Humfridum Sarum, Georgium Asaphen', Robertum Lincoln', & Willielmum Meneven', respectivè Episcopos, nominavit; & voluit Prolocutorem & totum Cætum Domûs Inferioris prædict' ad eligendum nonnullos graviore*s* Viros de gremio suo ad idem negotium cum dictis Reverendis Patribus expediendum. Modò, dimisso Prolocutore, cum toto Cætu prædict' præfatus Reverendus Pater, &c. iterum tractavit cum prædictis Reverendis Patribus. Et post interval- lum temporis, Dominus Prolocutor cum toto Cætu. prædict' revertens, nomine suo & eorum dixit & declaravit quòd ipse & Cætus Domûs Inferioris de propositis diligenter tractârunt & omnes eorum Consensus libentissimè dederunt Concessioni dictorum quatuor subsidiorum, juxta Ratam quatuor solido- rum e qualibet librâ; seq; & totum Cætum Domûs Inferioris prædict. elegisse in examinatores & correctores libri subsidiorum prædict' cum præfa- tis respectivè Episcopis, Venerabiles Viros Johan- nem Barwick S. Th. Professore*m* Prolocuto- rem, &c. Thomam Turner S. Th. Professore*m*, Decanum Ecclesia Cathedralis & Metropolitana Christi Cant', Dolben S. Th. Pro- fessore*m*, Decanum Westm', Michaellem Hony- wood Decanum Winton', Edwardum Layfield S. Th. Professore*m* Archidiaconum Essex', Rober- tum Pory S. Th. Professore*m* Archidiaconum Midd', Philippum King Archidiaconum Lewen', Geor- gium Stradling & Richardum Ball, S. Theologia respectivè Professore*s*, Procuratores, &c. Quam Electionem Dominus Praeses & Confratres sui ap- probârunt. Et tunc Dominus Episcopus London', &c. Continnavit; &c. prout in Schedulâ, &c.

Sessio CVIII.

DIE Mercurij 1 Julii, inter horas 8 & 10 ante Merid^{em} ejusd^{em} diei, &c. Liber subsidiorum Regiorum fuit introductus, &c. jussu dicti Reverendi Patris, &c. publicè per me notarium publicum fuit perlectus; & post lectionem ejusdem, missus fuit Prolocutori & Domui Inferiori pro eorum Revisione & Examinatione. Et tunc Dominus Gilbertus, &c. Continuavit, &c. prout in Schedulâ, &c.

Sessio CIX.

DIE Sabbati 4 Julii, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Prefatio & conclusio libri subsidiorum Regiorum introductis, & per me Notarium Publicum publicè perlectis, idem Reverendus Pater, &c. Continuavit, &c. prout in Schedulâ, &c.

Sessio CX.

DIE Mercurij 8 Julii, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. introducto libro subsidiorum Regiorum in pergamenò ingrossat^o. & jussu Presidentis, &c. publicè per me Notarium Publicum antedict^{um} perlect^{um}. & per totam Convocationem approbat^{um}. dictus Reverendus Pater, &c. Continuavit, &c. in diem Veneris, 10 Julij, &c. prout in Schedulâ, &c.

Sessio

Sessio CXI.

DIE Veneris 10 Julij, inter horas 2 & 4
post meridiem ejusdem diei, &c. Reveren-
dus Pater Dominus Episcopus Bathon. & Wellen, &c.
Continuavit, &c. prout in Scheda, &c.

Sessio CXII.

DIE Lunæ, 13 Julij, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. Reveren-
dus Pater Dominus Episcopus Bathon. & Wellen,
&c. Continuavit, &c. prout in Scheda, &c.

Sessio CXIII.

DIE Mercurij 15 Julij, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. Reve-
rendo Patre Domino Roberto Asaphen' Episcopo
assignato ad sedend' cum aliis Episcopis, &c. alias
constitutis ad concipiend' formam quoad Consecra-
tionem Capellarum, &c. Reverendus Pater, &c.
Continuavit, &c. prout per Schedulam, &c.

Sessio CXIV.

DIE Sabbati 18 Julij, inter horas 8 & 10 an-
te Meridiem ejusdem diei, &c. Reverendus
Pater Sarum Episcopus, &c. Continuavit, &c.
prout in Scheda, &c.

Sessio CXV.

DIE Veneris 24 Julij, inter horas 8 & 10
ante meridiem ejusdem diei, &c. Reveren-
P p dus

duſ Pater Sarum Episcopuſ, &c. Continuavit, &c. prout in Scheda, &c.

Sessio CXVI.

DI E Lunæ 27 Julij, inter horas 2 & 4 post Meridiem ejusdem diei, &c. Reverendus Pater Sarum Episcopuſ, &c. Continuavit, &c. usq; ad & inter horas 6 & 9 hujus diei, &c. Eisdem die & loco, inter horas 6 & 9, &c. Reverendus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio CXVII.

DI E Jovis 17 Martii 1663. inter horas 8 & 10. ante Meridiem ejusdem diei, &c. Reverendissimus Pater, &c. de & cum consensu, &c. ad se accersiri fecit Prolocutorem Domus Inferioris, una cum toto numero sive Catu ejusdem. Quibus comparentibus, dictus Reverendissimus Pater, introducto Brevis Regio sibi directo, ac in manus suas tradito idem de mandato dicti Reverendissimi Patris per me Notarium publicum prædictum publicè fuit perlectum. Ac post lectionem ejusdem, idem Reverendissimus Pater onus Exequutionis ejusdem in se assumpsit, & juxta formam & effectum ejusdem procedendum fore decrevit. Deinde, literis Commiſſionalibus dicti Reverendissimi Patris, &c. exhibitis, & per me, jussu Reverendissimi Patris publicè perlectis, Domini Commiſſarij tunc præſentes onus Exequutionis earundem in sese acceptarunt; ac post tractatum, &c. idem Reverendissimus Pater, &c. Continuavit, &c. prout in Scheda, &c.

Sessio CXVIII.

DI E Jovis 24 Martij, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. Reverendus
Pater London' Episcopus, &c. Continnavit, &c. in
diem Jovis ultimum, viz. diem instant. Martij,
&c. prout in Scheda, &c.

Sessio CXIX.

DI E Jovis, ultimo, viz. die Martij 1664. in-
ter horas 8 & 10 ante Meridiem ejusdem diei,
&c. Reverendus Pater, &c. post tractatum, &c.
Continnavit, &c. juxta Schedulam, &c.

Sessio CXX.

DI E Mercurij 20 Aprilis, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. Reveren-
dissimus Pater ac Confratres respectivè sui prædicti.
tractatum inierunt de & super Libro Grammati-
cali introducendum in prox'. & de Personis tunc
eligendis pro Examinatione ejusdem. Et tunc,
introducà petitione Clericorum indigentium in
Insulâ Vectis remanen'. & residen' relatum fuit
Reverendo Patri Domino Episcopo London' ad de-
liberand' desuper, & ad certificand'. &c. in prox'
&c. Et tunc dictus Reverendus Pater, &c. Con-
tinnavit, &c. juxta Schedulam, &c.

Sessio CXXI.

DI E Mercurij 27 Aprilis, inter horas 8 &
10 ante Meridiem ejusdem diei, &c. in-
troducà petitione per Dominum Episcopum Nor-
wicensem, eaq; publice perlectà, Domini Episcopi
duxerunt

duxerunt ad deliberandum desuper; & tunc dictus Reverendus Pater Dominus Episcopus London', &c. Continuavit, &c. juxta Schedulam, &c.

Sessio CXXII.

DIE Mercurij 4 Maij, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Liber Grammaticalis per Johannem Peirson S. T. P. unum è gremio Domûs Inferioris fuit introduct' & dictus Reverendissimus Pater, de & cum consensu Confratrum suorum Curam, Revisionem, & Examinationem ejusdem commisit Reverendissimo Patri, Providentiâ divinâ Eborum Archiepiscopo, Reverendis in Christo Patribus Georgio Winton', Humfrido London', Roberto Wigorn', Georgio Asaphen', Willielmo Glouc', & Johanni Coven', & Lichen' respectivè Episcopis. Et postea, de & cum consensu Confratrum suorum, ad se accersiri fecit Prolocutorem unâ cum toto Cœtu Domûs Inferioris quibus advenien' dictus Reverendissimus Pater, de & cum ratihabitione Confratrum suorum prædict'. voluit eos ad eligendum certum numerum virorum gravium & discretorum è gremio suo, ad Revidendum & Examinandum dictum librum Grammaticalem cum dictis Reverendis Patribus per Domum superiorem nominatis. Et dimisso dicto Prolocutore cum toto Cœtu prædict'. idem Reverendissimus Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio CXXIII.

DIE Sabbati 14 Maij, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio CXXIV.

DIE Lunæ 16 Maij, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. Reveren-
dissimus Pater, &c. Continuavit, &c. juxta Sche-
dulam, &c.

Sessio CXXV.

DIE Mercurij 18 Maii, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. introducto
libro Precum in latina concepr. relatum fuit cura
& revisioni Reverendi in Christo Patris Johannis
permissione divinâ Sarum Episcopi, & Johannis Dol-
ben S. T. P. Decani Westm'. Et deinde dictus
Reverendissimus Pater, &c. continuavit, &c. juxta
Schedulam, &c.

Sessio CXXVI.

DIE Martis 23 Augusti, inter horas 8 & 10
ante meridiem ejusdem diei, &c. Reverendus
Episcopus London, &c. Continuavit, &c. juxta
Schedulam, &c.

Sessio CXXVII.

DIE Veneris 25 Novembris, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. Reverendus,
Pater London' Episcopus, &c. post interval-
lum temporis, & de & cum consensu Confratrum
suorum voluit ad se accersiri Clerum Domûs Infe-
rioris Convocationis: quibus advenientibus, &c.
eosdem Cleros dictæ Domûs Inferioris monuit, qua-
tenus [ad] solitum & consuetum Convëntûs sui
locum

locum sese conferentes, unum virum gravem, doctum & peritum de gremio suo provideant & eligant in eorum Prolocutorem & Referendarium, in loco Venerabilis Viri Johannis Barwick S.T. P. ratione ejus mortis jam vacan', ac ipsum sic electum exhibeant, & presentent coram Reverendis. Patre aut ejus Locumten' sive Commis. &c. die Veneris prox. 2^o viz. die mensis Decembris prox. futur' inter horas 8 & 10 ante Meridiem ejusdem diei, hoc in loco. Quo Clero dimisso, &c. Praesens antedictus, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio CXXVIII.

DIE Veneris 2 Decembris, inter horas 8 & 10 ante Merid' ejusdem diei, &c. Reverendus Pater, &c. Winton. Episcopus, &c. post intervallum temporis ad eum accersiri jussit Clerum domus Inferioris. Qui sese presentantes exhiberi & sibi fecerunt Venerabilem Virum Johannem Dolben S. T. P. Decanum Ecclesie Collegiatae S. Petri Westm'. in Prolocutorem & Referendarium totius Cætus Domus Inferioris ultimâ Sessione electum; quem Venerabilis Vir Boulton S. T. P. in Presentatorem etiam electus, vice totius Cætus Domus Inferioris, præmissâ facundâ & eloquenti oratione, per eum exhibuit & presentavit dictis Reverendis Episcopis; & factâ aliâ latinâ oratione eleganti per eundem Prolocutorem sic presentatum præfatus Reverendus Pater, &c. de consensu Confratrum suorum præd' antedictum Johannem Dolben in Prolocutorem electum, & Electionem hujusmodi per aliam Orationem latinam commendavit & approbavit. Tunc dimisso Prolocutore, cum Cætu Domus inferioris prædict', habitôq; tractatu aliquandiu inter Episcopos prædict. idem Reverendus

us Pater, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio CXXIX.

DIE Veneris 9 Decembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendus Pater, &c. Elien' Episcopus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio CXXX.

DIE Veneris 16 Decembris, inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendus Pater, &c. Wigorn' Episcopus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio CXXXI.

DIE Martis 20 Decembris, inter horas 8 & 10 ante Merid' ejusd' diei, &c. Reverendus Pater Episcopus Wigorn', &c. Continuavit, &c. juxta Schedulam, &c.

Sessio CXXXII.

DIE Martis 10 Januarii 1664. inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendus Pater, Episcopus Winton', &c. Continuavit, &c. juxta Schedulam, &c.

Sessio CXXXIII,

DIE Mercurij 18 Januarii, inter horas 8 & 10 ante merid' ejusd' diei, &c. Reverendus Pater, Robertus Wigorn' Episcopus, &c. Continuavit, &c. juxta Schedulam, &c.

Sessio

Sessio CXXXIV.

DIE Veneris 27 Januarii, inter horas 8 & 10
ante Merid' ejusd' diei, &c. Continuavit, &c.
juxta Schedulam, &c.

Sessio CXXXV.

DIE Veneris 3 Febr. &c. Continuavit, &c.
juxta Schedulam, &c.

Sessio CXXXVI.

DIE Sabbati 11 Febr. &c. Continuavit, &c.
juxta Schedulam, &c.

Sessio CXXXVII.

DIE Sabbati 18 Februarii, inter horas 8 & 10
ante Meridiem ejusdem diei, &c. Reveren-
dissimus Pater, &c. voluit Episcopos presentes, cum
ad eorum respectivè Diœceses pervenerint, ad desti-
nand' sibi nomina & cognomina Clericorum intra
easdem respectivè Diœceses ab eorum respectivè
Curis eject' & loca eorum respectivè habitatio-
nis; & hoc facto, &c. Continuavit, &c. juxta
Schedulam, &c.

Sessio CXXXVIII.

DIE Martis 21 Februarii, inter horas 8 & 10
ante Merid' ejusd' diei, &c. Reverendissimi
Pater, &c. post tractatum, &c. Continuavit, &c.
juxta Schedulam, &c.

Sessio

Sessio CXXXIX.

DIE Jovis 2 Martii, inter horas 8 & 10 ante Merid^o ejusd^e diei, &c. Reverendus Pater London. Episcopus, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio CXL.

DIE Sabbati 4 Martii, inter horas 8 & 10 ante merid^o ejusd^e diei, &c. Reverendissimus Pater, &c. voluit omnes Episcopos Confratres suos presentes, ad exhibend^o omnem quamcunq; curam & diligentiam, ut quilibet Ministri vel Rectores vel Vicarii, seu eorum Curati, cujuslibet Ecclesia in & per eorum respectivè Dioceses, Divinas Preces juxta formam Libri Publicarum Precum in eâ parte stabilit^o, distinctè & plenariè, absq; aliquâ omissione earundem in aliqua parte, superpelliceis indutis, discreto ordine perlegant. Et hoc facto, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio CXLI.

DIE Jovis 22 Junii 1665. inter horas 8 & 10 ante Meridiem ejusdem diei, &c. Reverendissimus Pater, &c. Continnavit, &c. juxta Schedulam, &c.

Sessio CXLII.

Secundo die mensis Augusti, &c. prout in actu * No Entry is made of this Day's

Sessio CXLIII.

DIE Veneris 26 die Mensis Januarii, 1665.
inter horas 8 & 11 ante Meridiem ejusdem
diei, &c. Reverendus, &c. London' Episcopus, &c.
Continuavit, &c. juxta Schedulam, &c.

Sessio CXLIV.

DIE Martis 24 Aprilis 1666. inter horas 8 &
11 ante Meridiem ejusdem diei, &c. Re-
verendus, London' Episcopus, &c. Continuavit, &c.
juxta Schedulam, &c.

Sessio CXLV.

DIE Mercurij 19 Septembris 1666. inter ho-
ras 8 & 11 ante Meridiem ejusdem diei,
Reverendissimus, &c. post tractatum, &c. conti-
nuavit, &c. in diem Mercurii 26 diem jam in-
stantis Septembris, &c. juxta Schedulam, &c.

F I N I S.

ACTA
IN INFERIORE DOMO
CONVOCATIONIS,
ANNIS
MDCLXXXVI & MDCLXXXVIII.



Electio PROLOCUTORIS.

DIE Mercurij, *Secundo Viz. die Mensis Novembris, Anno Domini 1586. & Regni Serenissimæ Domine nostræ Domine Elizabethæ, Dei gratiâ Angliæ, Franciæ & Hiberniæ Reginæ, fidei Defensoris, &c. Anno Viceffimo Octavo : In Inferiori Domo Synodalis Convocationis Prælatorum & Cleri Cant. Provinciæ, in Sacello olim nuncupato Beata Mariæ in Orientali parte Ecclesiæ Cathedralis Divi Pauli London. notoriè Situato; Coram Venerabilibus Viris Decanis, Archidiaconis, Procuratoribus Capitulorum, Ecclesiarum Cathedralium & Cleri, tunc ibidem ad hujusmodi Convocationem celebrandam juxta effectum brevis Regij & præteriti temporis morem insimul Congregatis, comparuit Venerabilis Vir Magister Alexander Nowell Decanus Sancti Pauli, London : Cui præsentis, ex antiquo more & consuetudine dictæ Ecclesiæ Cathedralis Sancti Pauli prædictæ, Jus dirigendi Electionem futuri Prolocutoris competit. Et ex parte Reverendissimi Domini Johannis, Providentiâ Divinâ Cantuar. Archiepiscopi, significavit, Ut ad Electionem futuri Prolocutoris procedere licitè & liberè valeant & possint. Unde mox omnes tunc præsertes uno Ore Venerabilem Virum Magistrum Willelmum Redman Archidiaconum Cantuariensem, alias in ultimâ Convocatione hujus Domûs in Prolocutorem electum, ac modò absentem, denuosine morâ in eorum & dicti Cætus Inferioris Domûs Cleri Proloquutorem & Referendarium concorditer unanimi consensu nominarunt & elegerunt, nemine contradicente. Et consequenter nomina-*

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runt

Acta in Inferiore Domo

runt & elegerunt Venerabilem Virum Magistrum Johannem Styll Archidiaconum Sudbury presentem, ad presentandum dictum Proloquutorem Reverendissimo Domino Johanni Cant. Archiepiscopo & ceteris Prelatis in Superiori Domo, die Veneris proximo inter horas secundam & quartam post meridiem in Ecclesia Collegiata Westminster, cum debita & solita Solemnitate; Et moniti sunt omnes presentes quatenus dictis die hora & loco conveniant ad effectum predictum. Acta & gesta fuerunt premissa ut supra, in presentia mei Thomæ Barker Notarii Publici in ejusdem Inferioris Domus Acto [rum Scribam] assumpti.

Nomina presentium Electioni predicta, quæ mihi Notario predicto ex aspectu notieram, quæ ob brevitatem temporis capere potui. Reliquorum verò quam plurimorum etiam presentium, quoniam prefatus Dominus Decanus Sancti Pauli London. noluit ob causam predictam Præconizationem fieri, describere minimè potui.

Mr. D. Goodman. Mr. D. Pearne, &c.

Sessio Secunda.

DIE Veneris, Viz. Quarto die mensis Novembris, Anno Domini 1586. inter horas secundam & quartam post meridiem ejusdem diei, in quodam Sacello ex parte australi Ecclesie Collegiata Westminster, in presentia Edwardi Say & Thomæ Barker, Notariorum Publicorum, &c.

D. Prolocutor, D. Wood, &c.

Isto die, postquam convenerunt omnes supranominati Venerabiles Viri, ipse Venerabilis Presentator una cum ceteris supranominatis ex dicto Inferiori Catu, accersiti in Superiorem Domum, eundem Venerabilem Virum Magistrum Willielmum Redman Prolocutorem electum conduxit ad Superiorem Domum, eumque dicto Reverendissimo Patri Cant. Archiepiscopo, & ceteris Prelatis presentavit; ubi habitâ & præmissâ doctâ Oratione à præfato Venerabili Viro Magistro Johanne Syll Archidiacono Suffolk Presentatore, & ea finitâ, alterâ piâ Oratione seu præfatione ipsius Venerabilis Viri Domini electi Proloquutoris; dictus Reverendissimus Pater, cum ceteris Dominis Prelatis tunc presentibus, Electionem hujusmodi, & Dominum Proloquutorem Electum concorditer Approbarunt & Ratificarunt. His expeditis, post aliquem tractatum inter eosdem Reverendissimos Patres & dictum Dominum Proloquutorem cum alijs ex dicto Inferiore Catu, de rebus quibusdam necessariis; dictus Dominus Proloquutor cum Catu suo prædicto in dictam Inferiorem Domum revertebatur; ubi post finitas preces, facta fuit Præconizatio omnium interesse debentium, &c. Quâ peractâ, Dominus Proloquutor assignavit Venerabiles Viros, Decanum Sancti Pauli, Decanum Westminster, Decanum Elien. Decanum Sarum, Decanum Exon, Decanum Coven. & Lichen, Archidiaconum London, Archidiaconum Sudbury, Archidiaconum Bedford, Archidiaconum Taunton, Archidiaconum Darbie; D. Bell, D. Walker, D. Copcotte, & D. Wythers, in Assessores sibi, tractaturos de rebus & negotiis in hujusmodi Convocatione tractandis & expediendis. Cui quidem assignationi omnes presentes unanimitè consentierunt. Quibus sic gestis, habitâ

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per Dominum Proloquutorem Admonitione omnibus ex hoc Catu, ut habitu Clericali incedant, aliquin abstineant ab hac Domo, ac etiam admonitione, ut si qui sint qui aliquas Scedulas proferre vellent de rebus in hujusmodi Convocatione Reformandis, easdem sibi traderent in proximâ Sessione, deinde Dominus Prolocutor intimavit omnibus supranominatis, Convocationem hujusmodi esse continuatam usq; in diem Mercurij proximum inter horas nonam & undecimam ante Meridiem in hoc loco; & monuit omnes ad interessendam, &c.

Sessio Tertia.

DIE Mercurij, Nono Viz. die Mensis Novembris 1586. horâ nona ante Meridiem ejusdem diei, in Ecclesiâ Collegiatâ Westminster, prædictâ, in præsentia mei Edwardi Saie, & Thomæ Barker, Notariorum, &c.

D. Prolocutor, D. Coldwell, &c.

Isto die, post finitas preces comparuere omnes supra nominati Venerabiles Viri; ac deinde orta questione inter Venerabilem Virum Magistrum Johannem Dey Legum Doctorem, & quendam Magistrum Johannem Knewstubs de eorum electione in Procuratorem unius partis Cleri Norwicen. Dominus Proloquutor ad veritatem in hac parte inquirendam juramento oneravit quosdam Venerabiles Viros, Magistrum Georgium Gardiner, Decanum Norwicen. & Johannem Walker Sacre Theologiæ Professore, de modo observato antebac in hujusmodi Electione, necnon quendam Thomam Nuce — Theologiæ Baccalaureum, de ejus noticia in hac re. Qui sic jurati, dixerunt
 &

Et deposuerunt prout sequitur in infra-Scriptis. Necnon Magister Dey exhibuit Testimonium Magistri Johannis Maplezden Archidiaconi Suffolke, & Roberti Pecke Notarij Publici ejus Registrarij, ac depositionem Magistri Christophori Belt eorum respectivè manibus Subscript. & infra-script. content. Unde Dominus Proloquutor assignavit Magistro Knewstubbs ad proponendum causas quare Mr. D. Dey non admitteretur in Cæterum hujus Domus in proxim. Ac deinde Dominus Proloquutor continuavit hujusmodi Convocationem quoad hanc Domum usq; in diem Veneris prox. horâ nonâ ante Meridiem in hoc loco, & monuit omnes ad interessendum, &c.

I Testifie, That Mr. Fowle was Clerk of the Convocation for the Clergy of the Archdeaconry of Sudbury.

That, the next Parliament D. Norton was chosen for the Clergy of the Archdeaconry of Suffolk at Bliburrough in the same Archdeaconry, I being present at the choice.

That now at this Session, One for Sudbury-Archdeaconry was to be chosen, and that they were to be chosen of the Archdeaconries *alternis vicibus*, and so ever reported for the Custom.

J. Maplezden Archi. Suffolke.

I Testifie, That in the xiiijth Year of the Queens Majestie's Reign, there came Warrant from the Bishop of Norwich to the Archdeacon of Suffolk and his Official, for the Summoning of the Clergy of the same Archdeaconry, to appear at *Hopal* within the same Archdeaconry, to make choice of a Clerk for the Convocation, at which place many of the said Archdeacon-

deaconry did appear before Mr. D. *Maisters* Chancellor to the Bishop, and made choice of Mr. Doctor *Walker*: And at that time none of the Clergy of the *other* Archdeaconry did appear, neither did any of them contribute towards his *Charges*.

At the next Parliament, which was (as I take it) in the xvijth. Year of her Majestie's Reign, there was chosen within the Archdeaconry of *Sudbury*, Mr. *Fowle*. And at that time, the Clergy of the Archdeaconry of *Suffolk* neither had *Summons* nor bare any *Charges*. At the next choice, Mr. Doctor *Norton* was chosen for the Archdeaconry of *Suffolk* at *Blishburgh*, and none of the Archdeaconry of *Sudbury* did either appear or pay: And further during my knowledge, and also as I have heard it Reported of others before my time, the Archdeaconries of *Suffolk* and *Sudbury* have chosen *alternis vicibus*, and likewise paid.

Robert Pecke Reg. of the Archdeaconry of *Suffolk*.

Christopher Best, Mr. of Arts, Vicar of *Wichambrooke*, in the Archdeaconry of *Sudbury*, doth Testifie, that it is accounted to be the Custom in the Archdeaconries of *Suffolk* and *Sudbury*, that they shall choose the Clerk of the Convocation within those Archdeaconries, *alterni vicibus*; and at the Convocation last holden, the Proctor for the Clergy was chosen within the Archdeaconry of *Suffolk*; the Clergy of the Archdeaconry of *Sudbury* not being Summon'd thereunto, and paying nothing towards his charges: And that now at this time, the Proctor for the Clergy aforesaid, ought according to their Custom, to be chosen by the Clergy of the Archdeaconry

deaconry of *Sudbury* only, without Summoning the Archdeaconry of *Suffolk*; Yet notwithstanding, he saith that at this present time of Election, there were chosen by some, Mr. D. *Dey*, and by others, Mr. *Knewstubb*; the greater number by Pole of those that might lawfully chuse, to this Deponents judgment, appearing to be on Mr. D. *Dey*'s side. Yet he saith, when they were numbred by Scrutiny, the greater number was on Mr. *Knewstubb*'s side by Eight, viz. of Mr. Dr. *Dey*'s side, there were Cxxxij. Mr. D. *Jones*, and Mr. *Nuce* being reck'ned therein; and on Mr. *Knewstubb*'s side, Lxxxx. whereof he believeth there were xx *Parsons*, *Vicars*, or *Curates* and more, of the Archdeaconry of *Suffolk*, with other *Curates*, which according to their Customs, have no Voices in this Election as he hath heard.

Per me *Christoferum Best*.

Mr. Georgius Gardiner Decanus Norwicen. juramento oneratus per Dominum Prolocutorem, & per eum interrogatus quid novit quoad Electionem Procuratoris Cleri pro Archidiaconatu *Suffolk*, & Archidiaconatu *Sudbury*, saith, that by the space of xxv. Years he hath known the Order of the same Election, and saith that the Custom is, and by all that time hath been, that the same Archdeaconries have chosen a Clerk *alternis vicibus*. Johannes Walker *sacrae Theologiae Professor* juratus dicit, That he hath known the Custom to be as Mr. Doctor Gardiner hath depofed, ab Anno quinto Illustrissimae Reginae *Elisabethae*, &c. and that he this Deponent was so chosen of the same Archdeaconries.

Thomas

Acta in Inferiore Domo

Thomas Nuce *juratus dicit*, That he hath heard, that the Custom is as Mr. D. *Gardiner*, and Mr. D. *Walker* have deposed. And touching the Order of this Election, he saith, That upon the nameing of Mr. D. *Dey* by some, and Mr. *Knewstubbs* by others, the House was divided, no number taken by Poll; and in this Deponent's judgment, the greater number seem'd to be on Mr. D. *Dey's* side. Wherefore the difference being but small, they fell to a Scrutiny therein, whereby it appear'd, That Mr. *Knewstubbs* had the greater number by viij. viz. Mr. D. *Dey* had Cxxxij. reckoning Mr. D. *Jones*, and Mr. *Nuce*, who were Scrutators; and Mr. *Knewstubbs* had Lxxxx. Whereupon he saith afterwards they reckon'd the Curates on both sides, who they took to have no Voices there, and they found one Curate on Mr. D. *Dey's* side, and xiiij. Curates on Mr. *Knewstubb's* side. And also, because he had heard, that by the Custom aforesaid, none of the Archdeaconry of *Suffolk* had any Voices there; they also reckon'd how many of that Archdeaconry were there, and they found xxvij. on Mr. *Knewstubbs* side, and knoweth not whether there was any on D. *Dey's* side or not.

Sessio Quarta.

DIE Veneris xi. die Mensis Novembris 1586.
horâ & loco alias assignatis in Inferiori
Domo Convocationis, &c. in præsentia mei Edw.
Say & Thomæ Barker Notariorum, &c.
 D. Prolocutor, D. Gilpin, &c.

Isto die, post finitas preces comparuere omnes supra nominati; & tunc Magister D. Dey petiit se admitti & recipi in Procuratorem Cleri Archidiaconatus Sudbury, juxta Electionem de Persona sua alias factam. Et deinde quia Mr. Knewstubbs, alias ad ipsius petitionem monitus ad interessendum istis die & loco, propositurus quæ ex parte sua habet proponend. comparens nullas proposuit causas rationabiles pro parte sua, quare sit admittendus in Procuratorem ejusdem Cleri; & quia constat ex depositionibus nonnullorum fide-dignorum testium, Magistrum Knewstubbs fuisse Superiorem Magistro D. Dey in Electione predicta, tantum per Curatos, & alios qui secundum consuetudinem Electionis infra Archidiaconatus Suffolc & Sudbury in hac Electione nullam habuere vocem; & eis demptis, compertum est Magistrum Dey fuisse superiorem; igitur Dominus Prolocutor decrevit dictum Magistrum Doctorem Dey recipiendum fore in Procuratorem ejusdem Cleri & in Cætum hujus Domus, eumque sic recepit. Deinde Dominus Prolocutor certior factus de voluntate Reverendissimi Patris (per Magistrum Thomam Redman ejus Registrarium) quoad controversiam super Electione Clericorum Diaceleos Norwicen. viz. quod idem Reverendissimus Pater tulit Sententiam suam pro parte Magistri West contra Magistrum Thorowgood, intimavit hac omnibus presentibus & monuit eos ad recipiendum eundem Magistrum West in Cætum hujus Domus. Quibus sic gestis, dictus Dominus Prolocutor continuavit hujusmodi Convocationem quoad hanc Domum, usque in diem Mercurij proximum in hoc loco, & monuit omnes ad interessendum, &c.

Sessio Quinta.

DIE Mercurij, xvj°. die Mensis Novembris
1586. hora & loco præassignatis in Inferi-
ori Domo Convocationis, &c. in præsentia mei
Edwardi Say Notarij, &c. assumpti, &c.

D. Prolocutor, D. Goodman, &c.

Isto die comparuere omnes supra nominati; &
post preces finitas Dominus Proloquutor con-
tinuavit hujusmodi Convocationem quoad hanc
Domum usq; in diem Veneris proximum hora
Nona ante meridiem in hoc loco, & monuit om-
nes ad interessendum, &c.

Sessio Sexta.

DIE Veneris xviii°. die Mensis Novembris
1586. hora & loco præassignatis in Inferi-
ori Domo Convocationis, &c. & præsepte me
Edwardo Say Notario Publico, &c.

D. Prolocutor, D. Pearne, &c.

Isto die comparuere omnes supra nominati; &
post finitas preces Dominus Proloquutor accersitus
ad Reverendissimum Patrem illuc accessit, Decano
Elien. & Decano Oxon. eum comitantibus. Et post
aliqualem tractatum cum Reverendissimo & cæteris
Prælatiis, accersiti fuerunt omnes ad eosdem Reve-
rendissimum & Prælatos, & ibi habita fuit ijs om-
nibus Admonitio per dictum Reverendissimum, ut
Leges hætenus editæ diligenter secundum Canones
Stabilitæ observentur. Et ut fiat reformatio
in Ecclesiis eorum, &c. Ac deinde revertentes
omnes in Inferiorem Domum, habitâ exhortatio-

ne per Dominum Proloquutorem, ut reminiscantur Admonitionem Reverendissimi Patris ijs factam, dictus Dominus Proloquutor continuavit huiusmodi Convocationem quoad hanc Domum, usq; in diem Mercurij proximum, hora Nonâ ante Meridiem in hoc loco; & monuit omnes ad interessendum.

Sessio Septima.

DIE Mercurij xxiiij°. die Mensis Novembris 1586. hora & loco præassignatis, in Inferiori Domo Convocationis, præsentem me Edwardo Say Notario, &c.

D. Bulleyn, D. James.

Isto die comparuere omnes supra nominati; & precibus finitis Magister D. Bulleyn Decanus Lichen. nomine Domini Proloquutoris intimavit omnibus præsentibus huiusmodi Convocationem esse continuatam, usq; in diem Veneris proximum, hora nona ante Meridiem in hoc loco, & monuit omnes ad interessendum, &c.

Sessio Octava.

DIE Veneris xxv°. die Mensis Novembris, 1586. hora & loco præassignatis, præsentem Thoma Barker Notario Publico, &c.

D. Prolocutor, D. Kennal, &c.

Isto die comparuere omnes supranominati, & precibus finitis accersitus fuit Dominus Prolocutor ad Reverendissimum in superiori Domo existentem, ceterosq; Dominos Episcopos ibidem; & comitati sunt cum Magistris D. Goodman, & D.

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James. *Unde paulo post reverten. Dominus Proloquutor intimavit omnibus præsentibus, hanc Convocationem esse continuatam & prorogatam usq; in diem Lunæ proximum inter horas Octavam & undecimam ante Meridiem in hoc loco, & monuit omnes ad interessendum, &c.*

Sessio Nona.

DIE Lunæ xxviij. die Mensis Novembris 1586. hora & loco præassignatis, in Inferiori Domo Convocationis, &c. præsentē Thoma Barker Notario Publico, &c.

D. Prolocutor, D. Perne, &c.

Isto die, comparuere omnes supra nominati; & post preces finitas Dominus Proloquutor continuavit hujusmodi Convocationem quoad hanc Domum, in diem Veneris proximum inter horas octavam & undecimam ante Meridiem in hoc loco, & monuit omnes ad interessendum, &c.

Sessio Decima.

DIE Veneris 2^o. die Mensis Decembris 1586. hora & loco præassignatis, in Inferiori Domo Convocationis, &c. in præsentia mei Edwardi Say Notarij Publici, &c.

D. Goodman, D. Bevans, &c.

Isto die comparuere omnes supranominati, & finitis precibus Mr. Gabriel Goodman Decanus Westminster, nomine Domini Prolocutoris continuavit hujusmodi Convocationem quoad hanc Domum, Usq; inter horas primam & secundam post meridiem hujus diei, & prorogavit locum

cum hujusmodi, Usq; ad & in Sacello olim nuncupato Beatae Mariae in Orientali parte Ecclesiae Cathedralis Divi Pauli London, notariè situato, &c. & monuit omnes ad interessendum, &c.

Sessio Undecima.

Eodem die, inter horas, & loco præassignat. in Inferiori Domo Convocationis, præsentem me Edwardo Say Notario Publico, &c.

D. Prolocutor, D. Culpeper.

Quibus horis & loco comparuere omnes supra-nominati; & precibus finitis, eum comitantibus Magistris Perne, Mullins & Gilpin, adiit Reverendissimum Patrem & ceteros Praelatos; & paulo post revertens intimavit omnibus presentibus, consultum esse per eosdem Reverendissimum Patrem & Praelatos, de Reformatione fienda quoad Schedulas eidem Reverendissimo ac Domino Proloquutori exhibitas, &c. Et quòd conventum est inter dictos Reverendissimum & Praelatos de Exercitijs fiendis per Ministros infra Provinciam Cantuariensem; Et quòd iidem Reverendi Patres, cum redierint in Dioceses suas, Ordinem eorundem significabunt omnibus quibus interest in hac parte. Quibus sic expeditis, dictus Dominus Proloquutor continuavit hujusmodi Convocationem, quoad hanc Domum, Usq; in diem Veneris xvij. viz. diem mensis Februarij proximi inter horas nonam & undecimam ante meridiem, &c. in hoc loco, & monuit omnes ad tunc interessendum.

DIE Veneris, viz. 17°. Februarij 1586. secundum, &c. in Domo Capitulari Ecclesiae Cathedralis Divi Pauli London, in praesentia Edwardi

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wardi Say Notarij Publici assumpti, &c. ac inter horas nonam & undecimam ante meridiem.

Continuata est hujusmodi Convocatio ab undecimo Decembris 1586. in statu quo tunc fuit, Usq; in hos diem horam & locum. Quibus die, hora & loco, Venerabilis Vir Magister Wilhelmus Awbrey Legum Doctor, Commissarius Reverendissimi Patris Domini Johannis Cant. Archiepiscopi, &c. autoritate sufficienti ad hoc fulcitus, Continuavit hujusmodi Convocationem, in statu quo est, Usq; in diem Veneris, viz. 24. diem presentis mensis Februarij, inter horas nonam & undecimam ante meridiem ejusdem diei, & prorogavit locum usq; ad & in Ecclesiam Collegiatam Divi Petri Westminster, &c. presentibus tunc ibidem venerabilibus Viris Magistris Mullyns & Walker ex Cætu Inferioris Domus, nec non alijs testibus, &c.

Sessio prima.

DIE Veneris, viz. 24°. Februarij. 1586. secundum, &c. in quodam Sacello ex parte australi infra Ecclesiam Collegiatam Divi Petri Westminster, inter horas nonam & undecimam ante meridiem in presentia Edwardi Say & Thomæ Barker Notariorum Publicorum Inferioris Domus Actorum Scribarum assumptorum, &c.

D. Prolocutor, D. Episcopus Dovor, &c.

Isto die, omnes supranominati in locum prædictum convenerunt; & postquam Dominus Prolocutor una cum supranominatis preces divinas peregerat mox idem Dominus Prolocutor accersitus fuit ad Reverendissimum Patrem caterosq; ejus Confratres Prælatos in Superiori Domo infra dictam

dictam Ecclesiam Collegiatam Westminster. existen. ad quos se contulit, cumq; comitati sunt Decanus Cant. & Decanus Elien. Ac statim reliqui omnes Inferioris Domus similiter accersiti erant, atq; eosdem Reverendos Patres adierunt; ibiq; Reverendissimus Pater Dominus Cant. Archiepiscopus ob paucitatem Comparientium, &c. intimavit Domino Prolocutori absentes ab eorum Contumacias, &c. suspendendos fore debere, &c. Ac deinde declaravit nonnullas causas de Subsidio Domina nostra Regina prestand, &c. Necnon Reverendus Pater Dominus London. Episcopus querelatus est de negligentia Magistri Georgij Gardiner Decani Norwicen. ac aliorum, in non concionando in publico Suggestu infra Camiterium Paulinum situat. juxta monitionem eis in ea parte factam, &c. Ac postea Dominus Prolocutor ac ceteri Inferioris Domus supranominati redierunt in Domum Inferiorem, ibiq; elegit quosdam in Assessores sibi hic in margine hujus Actus nominat. factaq; publicâ preconizatione omnium citatorum, &c. ac monitorum, &c. & non comparientium Dominus pronuntiavit eos, & eorum quemlibet Contumaces, exceptis licentiatis discedendi, aut alias isto die infra Civitatem London, aut Suburbia ejusdem concionantibus, reservatâ eorum penâ in diem Mercurij proximum, &c. inter horas primam & tertiam post Meridiem. Et tunc, interrogatis omnibus per Dominum Prolocutorem utrum consentirent ut ipse Dominus Prolocutor eligeret ex Assessoribus sibi Sex quorum duo essent Decani, duo Archidiaconi & reliqui duo ex hac domo prout sibi videretur, qui de libello concipi-

Electi in Assessores
isto die sunt,
Rev. Pater Dec. Cant
Dec. St. Pauli Lond.
Dec. Westminster.
Dec. Rossen.
Dec. Elien.
Dec. Oxon.
Archid. London.
Archid. Lincoln.
Archid. Sudbury.
Archid. Darby.
D. Walker.
D. Wood.
D. Brancrasie.
Magister Wylson.
Magister Winter.

endo

endo pro Subsidio Domina nostra Regina præstando tractarent, Uno Ore consensum & assensum suos præbuerunt, nemine contradicente. Ac deinde Dominus Prolocutor intimavit omnibus præsentibus hanc Convocationem esse continuatam usq; in diem Mercurij proximum, &c. inter horas primam & tertiam post Meridiem in hunc locum, & monuit omnes jam præsentibus ad tunc ibidem interessendum, &c.

Sessio Secunda.

DIE Mercurij, viz. primo die Mensis Martij, Anno Domini 1586. secundum, &c. in quodam Sacello infra Ecclesiam Collegiatam Divi Petri Westminster, ex parte australi inter horas primam & tertiam post Meridiem, præsentibus Edwardo Say & Thoma Barker, Notarijs Publicis assumptis, &c.

Dom. Prolocutor, Decanus Cant.

Die prædicto, comparuerunt omnes supranominati: Et post preces finitas Dominus Prolocutor accersitus fuit ad Reverendos Patres Dominos Prælatos in superiori Domo, nempe Reverendum Patrem Dominum Winton Episcopum, Dominum Lincoln. Episcopum, & Dominum Hereforden. Episcopum; eumq; comitati sunt Decanus Cant. & Mr. Johannes Wynter. Unde mox revertens, quidam Gabriel Holte, Verbi Dei prædicator paupertate coactus petiit benevolentiam hujus Cætus, ac protulit & ostendit Domino Prolocutori literas quasdam Testimoniales in eundem effectum. Unde statim facta fuit Collectio xxvi s. iid. quam Summam Dominus Prolocutor tunc & ibidem tradidit eidem Holte. Ac deinde Domi-

nus

nus Prolocutor intimavit omnibus præsentibus, hujusmodi Convocationem esse continuatam Usq; in diem Veneris inter horas octavam & undecimam ante Meridiem ejusdem diei, & reservavit pœnas Contumacium usq; ineundem diem; Et moniti sunt omnes, &c. ad tunc interessendum in hoc loco, Sess. &c. Isto die assidebant Domino Prolocutori, Dominus Decanus Cant. D. Wood, D. Walker, D. Barefoote, D. Coldwell, Mr. Mullyns, Mr. Wynter.

Sessio Tertia.

DIE Veneris, viz. tertio Martij, 1586. secundum, &c. in loco Solito præassignato, viz. in quodam Sacello infra Ecclesiam Collegiatam beati Petri Westminster, inter horas octavam & undecimam ante Meridiem in præsentia mei Thomæ Barker Notarij Publici assumpti, &c.

Dom. Prolocutor, Decanus Cant. &c.

Die prædicto, convenerunt omnes supranominati, ibiq; post Divini numinis implorationem Dominus Proloquutor accersitus fuit ad Reverendissimum Dominum Cant. Archiepiscopum, Ceterosq; Reverendos Patres Dominos Prælatos, in Superiori Domo: Eumq; comitati sunt Decanus Cant. & Decanus Elien. Unde mox revertens Dominus Prolocutor in pœnam Contumaciarum citatorum, &c. & non comparentium, &c. decrevit procedendum fore, ac postea narravit præsentibus Catui hujus Domus, se unâ cum Assessoribus suis egisse cum prædicto Reverendissimo Patre ac Prælati de Subsidio

fidio Domine nostre Regine præbendo; Ac concordatum esse de eodem juxta ratam & formam, alias in ultimo Subsidio usitatam. Quod factum omnes præsentēs tam nominibus eorum proprijs, quam nominibus reliquorum hujus Domus quorum Procuratores existunt, ratificarunt & approbaverunt. Et ulterius Dominus Prolocutor significavit supranominatis hujus Domus præsentibus voluntatem Reverendissimi ac aliorum Dominorum Prælatorum de benevolâ contributione, ultra Subsidium prædictum Domine nostre Regine sine longâ morâ concedend. ac partim solvend. ob urgentes causas, & maxime propter bellum imminens, & graves minas hostium Evangelii, viz. de Contributione trium solidorum de quâlibet librâ annualis redditus cujuslibet Beneficii infra Provinciam Cant. juxta ratam & taxam eorundem in libris primitiarum Domine nostre Regine; exceptis Vicarijs quorum Beneficia non attingunt Summam, xl. juxta ratam prædictam, nec non Canonicis minoribus Ecclesiarum Cathedralium & Collegiatarum, ceterisq; Ministris Inferioribus, &c. Et quod de hujusmodi libello concipiendo maturior deliberatio cum Jurisperitorum consilio habeatur. Quibus omnibus sic declaratis, omnes ut supra præsentēs, sine morâ aut hæsitacione quâcunq; consensum & assensum suos præbuerunt. Et tunc ego Notarius antedictus, ex mandato Domini Prolocutoris, monui omnes isto die comparentes ad exhibendum & introducendum Procuratoria, si quæ habeant, ad comparend. pro absentibus citatis ad comparendum in hac Sacra Synodo in proximâ Sessione, &c. deinde Dominus Prolocutor ac ceteri omnes hujus Domus prænominati accersiti fuerunt ad dictum Reverendissimum, ac ceteros Prælatos Superioris

perioris Domus; ibiq; significarunt, omnia & singula per eos gesta, &c. Ac Dominus Prolocutor petiit, quòd si posthàc aliqua alia impositio sive taxatio sit in Clerum imponenda, durante tempore assignando pro Solutione Summarum jam concessarum; ut eadem taxatio fiat per ipsum Clerum inter se, & quod de eadem liberentur quoad fieri poterit: Cui petitioni annuerunt. Et tunc publicè ibidem perlectus fuit per Magistrum Thomam Redman Notarium Publicum Libellus pro Subsidio concesso conceptus, & in aliquibus sui partibus emendatus, correctus, & perfectus redditus. Ac mox in Domum Inferiorem reversi sunt Dominus Prolocutor Cateriq; ejusdem Domus, ibiq; Dominus pronuntiavit absentes, &c. Contumaces, reservatâ eorum penâ in prox. &c. Et præterea, intimavit præsentibus hanc Convocationem esse continuatam in crastinum inter horas tertiam & quintam post Meridiem, & in hunc locum, ac monuit eos ad interessendum.

Sessio Quarta.

DIE Sabbathi, viz. quarto Martii, 1586. secundum, &c. inter horas tertiam & quintam post Meridiem in Sacello ex parte australi Ecclesie Collegiate Westminster, præsentem Magistrum Edwardo Say Notario Publico, &c.

Dominus Prolocutor, D. Pearne, &c.

Die prædicto comparuere omnes supranominati; & Dominus Prolocutor adiit Dominos Prælatos in Superiori Domo, eumq; comitati sunt Decanus Elien & Archidiaconus Lincoln. Unde, post aliquam ibidem moram, tandem relierunt, ibiq; ex relatione Domini Prolocutoris publice per-

lectus fuit Libellus pro benevolâ contributione Regiæ Majestati concessâ conceptus, & aliquantulum emendatus ac perfectus redditus, &c. deinde per totum Cætum præsentem approbatus. Et tunc Dominus Prolocutor reservavit penas Contumacium, ut prius, in proximam Sessionem, &c. & intimavit præsentibus hujusmodi Convocationem esse continuatam, Usq; in diem Lunæ proximum, &c. inter horas primam & quintam, & in hunc locum; & monuit præsentibus ad tunc & ibidem comparendum, &c.

Session Quinta.

DIE Lunæ, viz. sexto Martii, 1586. secundum, &c. inter horas primam & quintam post Meridiem ejusdem diei, in Sacello ex parte Australi Ecclesiæ Collegiæ Westminster, præsentibus Johanne Mabill, Notario Publico, &c.

Quibus die & loco comparuerunt Magistri D. Powell, Say, Gilpin, West & Maxfield, hujus Domus; quibus intimatum fuit hujusmodi Convocationem de mandato & voluntate Reverendissimi Patris Domini Cant. Archiepiscopi esse continuandam in diem Mercurii proximum, &c. inter horas octavam & undecimam ante Meridiem ejusdem diei; prout revera continuata fuit: unde postea discesserunt, &c.

Session Sexta.

DIE Mercurij, viz. 8°. die Mensis Martii, Anno Dom. 1586. secundum, &c. inter horas octavam & undecimam ante Meridiem ejusdem

ejusdem diei, in loco consueto præassignato infra Ecclesiam Collegiatam Westminster, præsentem me Thoma Barker Notario Publico.

Quibus die, hora, & loco, comparuerunt Magistri Marston, Say, Bynam, Dylworth, Studley, Barret, & Maxfield, ex Cætu Inferioris Domus; & eo quod satis bene norunt hujusmodi Convocationem esse continuatam, in diem Veneris proximum, &c. viz. decimum diem præsentis Mensis Martii, post aliqualem moram discesserunt.

Sessio Septima.

DIE Veneris, viz. decimo die Martii, 1586. secundum, &c. inter horas octavam & undecimam ante Meridiem, in quodam Sacello ex parte australi Ecclesie Collegiate Westminster, præsentem Magistro Edwardo Say, Notario Publico, &c.

D. Prolocutor, D. Reneger, &c.

Quibus die & loco, comparuerunt omnes supranominati; & post preces finitas, Dominus Proloquutor accersitus fuit ad Reverendissimum Dominum Cant. Archiepiscopum, ceterosq; Dominos Prælatos in Superiori Domo, una cum toto præsentis Cætu; eosq; adierunt, atq; ibidem aliquandiu morati sunt. Ac tandem omnes supranominati in Domum hanc redierunt; excepto Domino Proloquutore, qui cum eisdem Reverendis Patribus post discessum reliquorum aliquantisper permansit. Ac deinde in hanc Domum revertens, cum consensu omnium ut præfertur præsentium, elegit Venerabiles Viros Dominum Decanum Elien. Archidiaconum Lincoln, & Archidiaconum Taunton, ad tractandum & communicandum una se-
cum

Acta in Inferiore Domo

cum cum Reverendis Patribus, de Constitutionibus & Decretis, licentiâ & vigore Literarum Patentium per Dominam nostram Reginam in ea parte concessarum stabiliendis, pro collectione benevole Contributionis Dicitur Domina nostra Regina concessa, &c. Et tunc Dominus Proloquutor intimavit omnibus presentibus hanc Convocationem esse continuatam & prorogatam in crastinum, inter horas primam & quartam post Meridiem ejusdem diei, in hunc locum; & monuit omnes jam presentes ad tunc ibidem interessendum. Ac insuper reservavit penas Contumacium usq; in eisdem diem & locum.

Sessio Octava.

DIE Sabbathi, viz. undecimo die Martii, 1586. secundum, &c. in Ecclesiâ Collegiatâ beati Petri Westminster, inter horas nonam & undecimam ante meridiem ejusdem diei, presente Johanne Mabill, Notario Publico, &c.

Quibus die hora & loco, comparuerunt Magistri Stallard, West, Owens, & Proctor; quibus significatum fuit, hujusmodi Convocationem esse continuandam in diem Mercurii proximum, viz. 15. diem presentis mensis Martii inter horas nonam & undecimam ante meridiem ejusdem diei, de mandato Reverendissimi Patris Domini Cant. Archiepiscopi, prout revera sic continuata fuit per Magistrum Lucam Gilpin sufficeinter & legitime in eâ parte Deputatum. Unde mox supranominati ex Cetu Inferioris Domus discesserunt.

Sessio Nona.

DI E Mercurij, 15°. Martij 1586. secundum, &c. in Ecclesiâ Collegiatâ beati Petri, Westm. inter horas nonam & undecimam ante meridiem ejusdem diei in præsentia mei Thomæ Barker, Notarij Publici, &c.

Quibus die horâ & loco, comparuerunt Magistri Bynam, Meredith, Morgan, D. Dey, D. Freake, West, Webb, Bancks, Studley, Proctor, Maxfeild, Rowland, Owens & Jones; quibus intimatum fuit hujusmodi Convocationem fore de mandato Reverendissimi Patris Domini Cant. Archiepiscopi continuandam, usque inter horas primam & quintam post meridiem hujus diei, ac in locum solitum; prout reverâ de certâ Scientiâ mei Notarij antedicti postea sic continuata fuit. Unde mox omnes supranominati discesserunt.

Sessio Decima.

Eodem die, inter horas præassignatas; in quodam Sacello ex parte Australi infra Ecclesiam Collegiatam beati Petri, Westm. in præsentia mei Thomæ Barker, Notarij Publici, &c.

D. Prolocutor, Decanus Cant.

Quibus die horâ & loco, comparuerunt omnes supranominati; & post preces ibidem peractas Dominus Prolocutor accersitus fuit ad Reverendissimum Patrem Dominum Cant. Archiepiscopum, Ceterosque Dominos Prælatos, in Superiori Domo; eumque comitati sunt Decanus Cant. & Decanus

Decanus Elien. Ac post aliquam ibidem moram revertabant, & tunc Dominus Proloquutor tradidit mihi Notario antedicto quasdam Constitutiones sive Ordinationes in Scriptis conceptas pro fideli & justa collectione ac Solutione benevola Contributionis alias Regia Majestati in hac Sacra Synodo per Clerum Cant. Provincia concessa, quas, de ejus mandato, statim tunc ibidem altâ & intelligibili voce perlegi. Quo facto, Dominus Proloquutor interrogavit omnes supranominatos, an Decreta, & Ordinationes hujusmodi sibi placerent; eosq; rogavit quatenus eorum consensum & assensum eisdem, si eis ita videretur, praberent; & tunc omnes easdem Ordinationes in omnibus approbarunt, atq; consensum & assensum suos tam nominibus eorum proprijs, quam nominibus omnium aliorum quorum Procuratores in hac parte respectivè existunt, prabuèrunt. Tamen Magister Gilpin petijt, ut Apparitores Ordinarij infra Provinciam Cant. (quibus incumbit onus monendi omnes & singulos, huic benevola contributioni obnoxios, juxta Ordinationes modo lectas) habeant aliqua Feoda pro eorum laboribus in eâ parte impendendis: Et super hoc orta est aliqua disceptatio inter eum & Dominum Prolocutorem. Ac deinde Dominus Proloquutor unâ cum Decano Cant. Decano Elien. & Decano Westm. iterum adivit Reverendissimum Patrem Dominum Cant. Archiepiscopum, ac reliquos Reverendos Patres in Superiori Domo, ad certificandum eos de gestis hujusmodi. Unde brevi reverten. Dominus Proloquutor intimavit hujusmodi Convocationem esse continuatam in diem Veneris proximum, &c. in hunc locum, inter horas octavam & undecimum ante meridiem ejusdem diei; & nominati sunt omnes supranominati ad tunc ibidem interessendum;

dum, &c. Magistri Nowell, Walker, Humfrey, Byfs, Powell, & Say, ex Relatione Domini Proloquutoris, isto die sunt licentiatii quoad eorum personalem comparitionem, &c.

Sessio Undecima.

DI E Veneris, viz. 17°. Martij 1586. Secundum, &c. in quodam Sacello ex parte australi Ecclesiæ Collegiatæ beati Petri, Westm. inter horas Octavam & Undecimam ante meridiem ejusdem diei, in præsentia mei Thomæ Barker, Notarij Publici, &c.

Quibus die hora & loco, comparuerunt Dominus Proloquutor nec non Magistri Marston, Rt. Smyth, Dey, West, Bancks, Studley, Freake, Pratt, Proctor, Jones, Webb, Bynam & Heywood: Quibus Dominus Proloquutor intimavit hujusmodi Convocationem esse continuatam usq; in diem Mercurij proximum, viz. Vicesimum secundum diem præsentis Mensis Martij, inter horas octavam & undecimam ante meridiem ejusdem diei, in hunc locum; & monuit eos ad tunc ibidem interessendum, &c.

Sessio Duodecima.

DI E Mercurij, viz. 22°. Martij 1586. secundum, &c. in Ecclesiâ Collegiatâ Divi Petri, Westm. inter horas octavam & undecimam ante meridiem, significatum erat hujusmodi Convocationem esse continuatam in diem Veneris proximum, viz. vicesimum quartum

U u

Martij

Martij prædict. inter horas octavam & undecimam ante meridiem, & in hunc locum.

Sessio Decima Tertia.

DIE Veneris, viz. 24°. Martij 1586. secundum, &c. Continuata fuit hujusmodi Convocatio, per Venerabilem Virum Magistrum Willielmum Awbrey Legum Doctorem, Vicarium in Spiritualibus generalem Reverendissimi Patris Domini Johannis Providentia Divinâ Cant. Archiepiscopi, nec non Commissarium in eâ parte specialiter deputatum, usq; ad & inter horas primam & quartam postmeridianas, ac in locum prædictum. Ac insuper idem Venerabilis Vir jussit ut omnes hujus Domûs qui ad locum prædictum ante meridiem illius diei venirent, moneantur ad tempestivè in locum solitum congregandum prædictum, statim à prandio, &c. prout ex Relatione Mri. Redman Deputati Registrarij Superioris Domûs, ego Thomas Barker, Notarius antedictus accipi, &c.

Sessio Decima Quarta.

Eodem die inter horas primam & quartam post meridiem in loco solito præassignato, presente me Thoma Barker, Notario, &c. comparuerunt personaliter omnes & singuli quorum nomina hic Subscribuntur, viz.

D. Prolocutor, Dom. Pearne, &c.

Et tunc precibus prius ritè ac debitè peractis, de mandato Domini Prolocutoris facta fuit publica

lica preconizatio omnium citatorum ad comparendum in hac Domo juxta consuetudinem alias usitatam, & juxta tenores Mandatorum & Certificatorum alias respectivè coram ipso Reverendissimo Patre Domino Cant. Archiepiscopo, &c. exhibitorum & introductorum. Eaq; preconizatione vix completâ, Dominus Proloquutor unâ cum integro Catu hujus Domûs tunc prasente, accersiti fuerunt ad dictum Reverendissimum Patrem, aliosq; Prælatos in Capellâ vulgaritèr dictâ Capella Regis Henrici Septimi existentes; ad quos finitâ preconizatione citatorum (ut præsertur) immediate sese contulerunt; ibiq; Reverendissimus Pater Dominus Cant. Archiepiscopus querelatus est de incuriâ, negligentâ, & contumaciâ citatorum, &c. & non comparentium, &c. ac etiam de pravâ & immoderatâ luxuriâ & minus verecundo gestu ac morum intemperie nonnullorum Clericorum Provinciæ Cant. ad Fora & Loca publica concurrentium: Quare monuit Decanos, Archidiaconos & alios jam prasentes, ad quos correctio delinquentium hujusmodi pertinet, ad severè procedendum & puniendum obnoxios & culpabiles; & si incorrigibiles perseveraverint, ad implorandum auxilium & opem Episcopi Diacesani, vel ipsius Reverendissimi Patris, vel etiam ipsius Serenissimæ Domine nostræ Regiæ, ne actionum & morum pravitas istorum obnabilet & obscuret Doctrinam Evangelij, quod verbis profitentur; quo pluribus pernitiosum fiet pessimum eorum Exemplum. Et tunc perrectâ sibi Scedulâ Suspensionis, unâ cum Scedulâ continente nomina & cognomina contumaciter absentium ab hâ: Sacra Synodo; idem Reverendissimus eos omnes & singulos in hujusmodi Scedulâ nominatos à celebratione divinarum & omnimodo exercitiis Ecclesiasticæ

eclesiastica Jurisdictionis Suspendit, prout in ipsa Scedula penes Registrarium ipsius Reverendissimi Patris quoad Superiorem Domum remanente, continetur. Ac deinde Idem Reverendissimus Pater, vigore & autoritate brevis Regij sibi in eâ parte directi, ac penes Registrarium suum predictum etiam remanentis, Convocationem hujusmodi dissolvit, &c.

ANNO MDLXXXVIII.

DIE Mercurij, viz. quinto die mensis Februarii, Anno Domini secundum Ecclesiæ Anglicanæ computationem 1588. & Regni Serenissimæ Domine nostræ Domine Elizabeth, Dei gratia Angliæ, Franciæ & Hiberniæ Regina, fidei Defensoris, &c. Anno tricesimo primo. Venerabilis Vir Magister Johannes Styll, Archidiaconus Sudbury, ac Sacræ Theologiæ Professor, intravit Suggestum in Cancellum infra Ecclesiam Cathedrallem Divi Pauli London, ibiq; apud Reverendissimum Dominum Cant. cæterosq; Dominos Episcopos & Prælatos necnon nonnullos alios Provinciæ Cant. doctam habuit ac edidit Concionem in Sermonem Romano. Quâ debite finitâ per Semiboram ante undecimam horam ejusdem diei, complures ex Clero Provinciæ Cant. præd. recesserunt in Inferiorem Domum Synodalis Convocationis Prælatorum & Cleri Cant. Provinciæ, viz. in Sacellum olim nuncupatum beatæ Mariæ in Orientali parte Ecclesiæ Cathedralis Divi Pauli London, notoriè situat. Ibiq; coram Venerabilibus Viris, Decanis, Archidiaconis, Procuratoribus

toribus Capitulorum Ecclesiarum Cathedralium, & Cleri tunc ibidem ad hujusmodi Convocationem celebrandum juxta effectum brevis Regii & præcæriti temporis morem insimul congregatis, Compæruit Venerabilis Vir Magister Alexander Nowel, Decanus Sancti Pauli London, cui præsentem ex antiquo more & consuetudine dictæ Ecclesiæ Cathedralis Sancti Pauli prædicti, Jus dirigendi Electionem futuri Proloquutoris competit: Et ex parte dicti Reverendissimi Patris Domini Johannis providentiâ divinâ Cant. Archiepiscopi significavit, ut ad Electionem futuri Proloquutoris procedere licent & liberè valeant & possint, & commendavit eis præfatum Venerabilem Virum Magistrum Johannem Styll tunc ibidem præsentem. Unde omnes tunc præsentem uno ore eundem Magistrum Johannem Styll sine morâ in eorum & dicti Cætus Inferioris Domus Cleri, Proloquutorem & Referendarium concorditer unanimi consensu nominarunt & elegerunt, nemine contradicente. Et consequenter nominarunt & elegerunt Venerabilem Virum Magistrum Richardum Fletcher, Sacre Theologiæ Professore, Decanum Petriburgen, præsentem, ad præsentandum dictum Dominum Proloquutorem Reverendissimo Domino Johanni Cant. Archiepiscopo, & cæteris Prælati in Superiori Domo, die Veneris proximo, inter horas primam & quartam post meridiem in Ecclesiâ Collegiatâ Westminster, cum debitâ & solitâ Solemnitate. Et moniti sunt omnes præsentem, quatenus dictis die, horâ & loco conveniant ad effectum prædictum. Acti & gesta fuerunt præmissa in præsentia Johannis Coston & mei Thomæ Barker Notariorum Publicorum, in ejusdem Domus Inferioris Actorum Scrib. assumptorum.

Nemina

Nomina quorundam presentium Electioni prædictæ qui mihi Thomæ Barker Notario prædicto ex aspectu noti erant; reliquorum verò quam plurimorum etiam presentium ob brevitatem temporis capere minime potui.

D. Pearne, D. Bell, &c.

Sessio Secunda.

DIE Veneris, viz. septimo Februarii, 1588. secundum, &c. inter horas secundam & quartam post meridiem ejusdem diei, in loco consueto infra Ecclesiam Collegiatam Divi Petri Westm. in præsentia Johannis Coston & Thomæ Barker, Notariorum Publicorum assumptorum, &c.

Quibus die, hora & loco, postquam omnes supranominati Venerabiles Viri convenerunt, dictus Venerabilis Præsentator (ut præfertur) designatus, unâ cum cæteris supranominatis ex dicto Inferiori Domo, accersiti fuerunt in Superiorem Domum; dictumq; Venerabilem Virum Magistrum Johannem Styll, Proloquutorem electum conduxerunt ad Superiorem Domum in Orientali parte dictæ Ecclesie existentem; ibique præfatus Præsentator eundem Magistrum Styll dicto Reverendissimo Patri Domino Cant. Archiepiscopo, & cæteris Superioris Domus Prælatiis præsentavit; ubi habitâ & præmissâ docta Oratione à præfato Venerabili Viro Magistro Richardo Fletcher, Præsentatore antedicto, & eâ finitâ; alterâ docta Oratione seu Præfatione ipsius Venerabilis Viri Domini Proloquutoris; dictus Reverendissimus Pater cum cæteris Dominis Prælatiis tunc præsentibus Electionem

Electionem hujusmodi, & Dominum Proloquutorem electum concorditer Approbavit & Ratificavit. Hijs expeditis, Dominus Proloquutor cum Cetu suo predicto, in dictam Inferiorem Domum revertebatur; ubi de ejus mandato facta fuit preconizatio omnium interesse debentium, &c. quâ peractâ Dominus Proloquutor accersitus fuit ad Reverendissimum caterosq; Dominos Prelatos in Superiori Domo, eumq; comitati sunt Venerabiles Viri Magistri D. Pearne, D. Goodman, D. Coldwell, D. Fletcher, D. Barefoot, & D. Chamberleyne; ubi aliquantisper commorantes, mox reversi sunt, Dictusq; Dominus Proloquutor universo Cetu significavit voluntatem Reverendissimi caterorumq; Prelatorum Superioris Domus esse, quod si aliquis hujus Domus noverit quenquam Ministrum, de quo justè conqueri possit, quod contra Leges Ecclesiasticas nunc temporis autoritate legitimâ receptas & approbatas sese gessit & gerit, aut si aliquis noverit quenquam qui Canones in ultimâ Convocatione approbatos & editos violaverit, eosdem in scriptis denuntiarent Reverendissimo Domino Cant. Archiepiscopo, caterisq; Dominis Prelatis predictis pro debitâ correctione & reformatione in ea parte faciend. Et ulterius Dominus Proloquutor monuit omnes supranominatos presentes, ut decenter incedant habitu Clericali ad evitandum Calumniam & Scandalum hominum cerebroforum horum temporum. Ac deinde Dominus Proloquutor intimavit omnibus supranominatis Convocationem hujusmodi esse continuatam. Usq; in diem Mercurij proximum inter horas nonam & undecimam ante meridiem, & in Ecclesiam Collegiatam predictam, & monuit omnes jam presentes ad tunc ibidem interessendum, &c.

Tertia

Sessio Tertia.

DIE Mercurij, viz. duodecimo die Februarii, Anno Domini 1588. secundum, &c. in quodam Sacello ex parte Septentrionali Ecclesiæ Collegiæ Divi Petri Westminster, inter horas nonam & undecimam ante meridiem ejusdem diei in præsentia Johannis Coston & Thomæ Barker, Notariorum Publicorum, &c.

D. Prolocutor, D. Pearne, &c.

Quibus die, hora & loco, comparuerunt omnes supranominati Venerabiles Viri; & post preces peractas Dominus Proloquutor elegit sibi in Assessores Venerabiles Viros, Decanum Elien. Decanum Roffen. Decanum Sarum. Decanum Lichen. Decanum Petriburgen. D. Bell, D. Barefoot, D. Wythers; quam Electionem omnes supranominati approbârunt & ratificarunt. Ac mox accersitus fuit Dominus Proloquutor ad Reverendissimum Dominum Cant. Archiepiscopum, ceterosq; Dominos Prælatos, in Superiori Domo; quò sine mora se contulit; cûq; comitati sunt Domini Assessores prænominati. Unde paulo post revertentes in locum prædictum, Dominus Proloquutor significavit universo Catui, consensum & concordatum fuisse & esse inter Dominos Prælatos Superioris Domus, quòd Reverendi Patres Domini Winton Episcopus, Episcopus Roffen & Episcopus Hereford, tractarent, statuerent, & deliberarent de subsidio Dominae nostræ Reginae erogando; & in eundem finem Dominus Prolocutor nominavit & elegit Venerabiles Viros, Decanum Elien. Decanum Westm. Decanum Sarum, Decanum

canum Divi Pauli London. Decanum Roffen. Decanum Ciceftren, Decanum Petriburgen, D. Kennal, D. Bell. D. Reneger, D. Wytheis, D. Capcott, Magiftrum Mullyns, Magiftrum Redman, D. Barefoot, Magiftrum Bungey, ut fimiliter vice ac nominibus totius hujus Cætus communicarent & tractarent de subsidio hujusmodi, nec non confensum & assensum omnium supranominatorum hujus Cætus in Electionem suam hujusmodi petiit, & sine mora obtinuit. Unde monuit omnes presentes ne revelarent gesta hujusmodi isto die, donec manifestè notum foret, quid Laici in eorum Domo Parliamenti de Subsidio per eos præstando prope diem statuerent.

Quibus sic gestis, Dominus Proloquutor intimavit hujusmodi Convocationem esse continuatam, usq; istum diem ad septimanam inter horas nonam & undecimam ante Meridiem in hoc loco, & monuit omnes jam presentes ad tunc ibidem interessendum, &c.

Isto die porrecta fuit Domino Proloquutori Scedula Reformand. per Magiftrum Coton.

Sessio Quarta.

DIE Mercurij, viz. ix^o. Februarii, 1588: secundum, &c. in quodam Sacello ex parte septentrionali Ecclesie Collegiatae Divi Petri Westminster, in presentia Johannis Coston, & mei Thomæ Barker, Notariorum Publicorum assumptorum, &c. inter horas præassignatas, &c.

D. Prolocutor, D. Bridges, &c.

Quibus die, hora & loco, inter horas præassignatas comparuerunt omnes supranominati, &

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post

post divini numinis implorationem, Venerabiles Viri Magistri D. Pearne, D. Bridges, D. Coldwell, D. James, D. Goodman, D. Bulleyn, D. Baretoor, D. Wythers, & Archidiaconus Cant. ex rogatu Domini Prolocutoris, sibi affidebant. Ac deinde nuntiatum fuit Domino Prolocutori de voluntate Reverendissimi Patris Domini Cant. Archiepiscopi & ceterorum Dominorum Episcoporum in Superiori Domo, quod ad se accederet cum Assessoribus suis predictis. Quo mox sese cantuclerunt; ibique aliquantisper commorantes, in eorum reversu in hujusmodi Cetu, Dominus Prolocutor obnixè rogabat & petebat à universo Cetu, quatenus intuitu bellorum per Adversarios & hostes hujus Regni intentatorum, ac maturè & providè per Dominam nostram Reginam ejusque Senatum propulsorum & propellend. & ob alias justas & legitimas causas, darent & concederent eidem Domine nostræ Regina, ultra Subsidium solitum, Semi-Subsidium solvendum similibus diebus & terminis alias assignatis pro solutione benevole Contributionis dictæ Domine nostræ Reginae nuper concessæ successive & immediate post lapsum eorundem terminorum alias (ut præfertur) assignatorum in uno & eodem libro sive Instramento aut in diversis concipiend. Cujus petitioni nonnulli hujus Domus annuebant, ac alii nonnulli adversabantur; ita quod difficile erat judicare utra pars major esset. Unde vocatis nominatim omnibus presentibus, apparuit numerum Consentientium huic Semi-Subsidio aliquantulum minorem esse quàm Dissidentium. Et quoniam lapsus temporis non pateretur in presentii ulteriorem tractatum de hac re, Dominus Prolocutor monuit omnes presentes, ne publicè revelarent tractata & gesta isto die: Et ulterius intinavit

timavit eis hujusmodi Convocationem esse continuatam, usq; in Diem Veneris proximum in hoc loco, inter horas nonam & undecimam ante Meridem; & monuit eos ad tunc ibidem interesse, &c.

Sessio Quinta.

DIE Veneris, viz. 21^o Februarii, 1588. secundum, &c. in quodam Sacello ex parte Septentrionali Ecclesie Colligiate Divi Petri Westminster, inter horas nonam & undecimam ante Meridiem ejusdem diei, in presentia mei Thomæ Baker, Notarii Publici assumpti, &c.

D. Prolocutor, D. Coldwell &c.

Quibus die, hora & loco, comparuerunt omnes supranominati; & post preces finitas, Dominus Prolocutor omnine petiit & rogavit ab omnibus presentibus, ob causas alias per eum ultimâ Sessione declaratas, quatenus ipsi darent & concederent Domine nostre Regine duplex Subsidium juxta formam Subsidii ultimi sibi concessi, viz. Summam duodecim Solidorum ex qualibet libra annui Valoris cujuscumque Dignitatis sive Beneficii Ecclesiastici, juxta Valorem eorundem beneficiorum in libris primitiarum dictæ Domine nostre Regine expressam, solvend. infra spatium sex annorum post lapsum sive expirationem terminorum alias pro solutione Subsidii jamdudum concessi assignatorum: Cujus petitioni omnes supranominati consentierunt. Et mox Dominus Prolocutor accersitus fuit ad Reverendissimum Dominum Cant. Archiepiscopum, ceterosq; Dominos Prelatos in Superiori Domo; quò se contulit, committentibus eum Decano Westminster, Decano Ror-

fer, Decano Sarum. Decano Elien. Doctore Bell, Archidiacono Mullyns, Archidiacono Redman. Unde paulo post revertens, retulit universo Cætui hujus Domus, se significasse eisdem Dominis Prælati Consensum hujus Domus in concessione duplicis Subsidiæ petiti, nec non eorum petitionem pro immunitate suâ obtinendâ ab omni exhibitione sive præstatione munitionum bellicarum. Et ulterius Dominus Proloquutor ad petitionem quorundam hujus Domus elegit Magistrum D. Bolde, Magistrum Wilhelmum Coton, & Magistrum Bayneham, ad tractandum & communicandum cum cæteris aliis electis de libro concipiendo pro Subsidiis hujusmodi. Ac deinde Dominus Prolocutor intimavit omnibus præsentibus hujusmodi Convocationem esse continuatam, usq; diem Mercurii proximum inter horas nonam & undecimam ante Meridietem in hoc loco, & monuit eas ad tunc ibidem interessendum.

Sessio Sexta.

DIE Mercurii, viz. 26. Februarii, 1588. secundum, &c. in quodam Sacello ex parte septentrionali infra Ecclesiam Collegiatam Divi Petri Westminster, inter horas nonam & undecimam ante Meridiem ejusdem diei in præsentia mei Thomæ Barker, Notarii Publici assumpti, &c.

D. Prolocutor, D. Pearne, &c.

Quibus die, hora & loco, comparuerunt omnes supranominati; & post preces celebratas, ex mandato Domini Proloquutoris ego Notarius antedictus publicè, ac altâ & intelligibili voce, perlegi librum conceptum pro duobus Subsidiis Domina
nostra

nostra Regina concessis; & post lectionem ejusdem omnes presentes eundem librum, omnesq; Sententias, clausulas, ac provisiones, tam veteres minime reformatas quam recentiores & novas, nuper ac noviter emendatas & additas, juxta petitiones & scedulas Domino Proloquutori porrectas unanimiter approbarunt & ratificarunt. Ac statim postea accersitus fuit Dominus Proloquutor, ad Dominos Praelatos in Superiori Domo, secumq; ad eos transtulit librum Subsidiarum predicti. comitantibus eum qui sibi affidebant die predicto viz. D. Pearne, D. Goodman, D. Coldwell, D. Bridges, D. Fletcher, D. James, & D. Chamberleyne, & in eorum reversu in hanc Domum, Dominus Prolocutor significavit omnibus presentibus, quod Reverendi Patres in Superiori Domo minime approbarunt quasdam ex Clausis sive Provisionibus in libro Subsidiarum predicto, sic ut praefertur lecto, & per totum Cætum hujus Domus approbato; quodq; lapsus temporis non pateretur in presenti ulteriorem tractatum sive deliberationem de eâ re; Ideoq; ulterius significavit continuationem esse factam usq; inter horas secundam & quartam horam pomeridianam in hoc loco, & monuit omnes ad interessendum, &c.

Sessio Septima.

Eodem die in loco predicto ac inter horas praesignatas, in praesentia mei Thomæ Barker, Notarii Publici assumpti, &c.

D. Prolocutor, D. Bell, &c.

Dictis die hora & loco, comparuerunt omnes supranominati; & mox Venerabiles viri D. Pearne, D. Bulleyn, D. Bell, D. Tyndall, D. Goodman,

Acta in Inferiore Domo

Goodman, D. Coldwell, D. Wylson, Mr. Redman, Mr. Bungey, Mr. Hutchinson, & Mr. Rillston, deduxerunt sive comitati sunt Dominum Proloquutorem ad Reverendos Patres Dominos Prælatos in Superiori Domo; ibiq; habitâ inter eos Consultatione sive Communicatione de modo & forma Conceptionis Libri Subsidiarum prædicti. Domini Prælati declarârunt Domino Proloquutori caterisq; supranominatis nonnullas causas & rationes ob quas dictus Liber Subsidiarum reformatur per eos in quibusdam nuper additis & emendatis per Domum Inferiorem, necnon rogârunt Dominum Proloquutorem ut causas & rationes hujusmodi toto Cætui Domûs Inferioris renuntiaret. Quibus sic gestis, Dominus Proloquutor & cæteri prænominati reversi sunt in Inferiorem Domum prædictam; & juxta requisitionem sibi factam, ipse & Dominus Archidiaconus Cant. renunciarunt causas reformationis Libri Subsidiarum prædicti. & eis auditis, ortus est dissensus de forma conceptionis dicti Libri. Unde, de mandato Domini Proloquutoris, omnes præsentés per me Notarium Publicum prædictum nominatim evocati sunt ad reddendum eorum Suffragia de Forma conceptionis dicti Libri; ac deinde evidenter constitit numerum consentientium formæ dicti Libri per Dominos Episcopos, ut præfertur, reformati, majorem esse numero dissentientium. Unde mox Dominus Proloquutor intimavit continuationem hujus Convocationis esse factam usq; diem Veneris proximum inter horas nonam & undecimam ante meridiem ejusdem diei in hoc loco, & monuit omnes præsentés ad interessendum, &c.

Sessio Octava.

DIE Veneris, viz. 28°. Februarij 1588. secundum, &c. in quodam Sacello ex parte Septentrionali infra Ecclesiam Collegiatam Divi Petri Westm. inter horas nonam & undecimam ante meridiem, in præsentia mei Thomæ Barker, Notarij Publici assumpti, &c.

D. Prolocutor, D. Chamberleyne, &c.

Quibus die hora & loco, comparuerunt omnes supranominati; & post Divini Numinis implorationem, Dominus Proloquutor evocatus fuit ad Dominos Episcopos in Superiori Domo; ac Dominus Decanus Westm. Dominus Decanus Lichen. Dominus Decanus Roffen. Dominus Decanus Ecclesiæ Christi Oxon. eum comitati sunt. Unde paulo post revertentes, Dominus Proloquutor publicè declaravit omnibus præsentibus, præfatos Dominos Episcopos nuper certiores factos esse de adversâ valitudine Reverendissimi Patris Domini Cant. Archiepiscopi, ita quod non potest sine vite suæ periculo ad hanc Ecclesiam Collegiatam accedere. Et ideo intimavit quod concessus hujus Domûs continuatur usq; inter horas secundam & quartam pomeridianam in Palatio dicti Reverendissimi Patris apud Lambeth, & monuit omnes ad interessendum, &c.

Sessio Nona.

Eodem die inter horas secundam & quartam pomeridianas, in Sacello Reverendissimi Patris

Acta in Inferiore Domo

Iris Domini Archiepiscopi Cant. infra Palatium suum apud Lambeth, in presentia mei Thomæ Barker, Notarij Publici assumpti, &c.

Die horâ & loco prædictis, comparuerunt omnes infra nominati; & mox Dominus Proloquutor totusq; Cætus hujus Domus accersiti fuerunt ad Dominos Episcopos existentes in quadam Camera jacente prope prædictum Sacellum; ibiq; aperte, distinctè, & publicè, perlectus fuit liber Subsidiorum. Quo sic perlecto, nullus præsentium dictum librum aut formam ejusdem contradixit. Et tunc Dominus Episcopus London, vigore Commissionis sibi in eâ parte factæ, continuavit hujusmodi Convocationem usq; diem Mercurij proximum in Ecclesiam Collegiatam Divi Petri West. inter horas octavam & decimam ante meridiem, quam Continuationem Dominus Proloquutor intimavit omnibus præsentibus; & monuit eos ad tunc ibidem interessendum, &c.

D. Prolocutor, D. Bulleyn, &c.

Sessio Decima.

D*IE Mercurij, viz. 5^o die Mensis Martij Anno Domini 1588. secundum, &c. in quodam Sacello, ex parte boreali Ecclesie Collegiate Divi Petri Westm. in presentia Magistri Johannis Coston, Notarij Publici, &c.*

D. Prolocutor, D. Coldwell, &c.

*Quibus die horâ & loco, comparuerunt omnes supranominati; & post preces peractas, Dominus Proloquutor declaravit, quod quum ex fide dignâ relatione acceperit, Laici hujus regni quandam Billam sive petitionem pro Provisione Armo-
rum*

rum per Clerum hujus Regni fiendâ Superiori Domino Parlamento exhibuere, idcôq; Dominus Proloquutor duxit consentaneum esse, ut integer Cætus hujus Domûs Petitionem sive Supplicationem aliquam eidem Parlamento porrigeret, ad impediendum seu saltem mitigandum & reformandum formam illius billæ quoad Clerum: Ac mox Dominus Proloquutor Supplicationem quandam in finem prædictum conceptam tunc ibidem protulit, ac palam & publicè perlegit; in se continentem inter alia nonnullas causas & rationes, quare Clerus hujus regni minimè oneretur Subministratione & Provisione militum, armorum, &munitionum bellicarum, prout in dictâ billâ, (ut præfertur) exhibitâ, fuit & est insertum: Quam quidem petitionem sic lectam omnes præsentés approbarunt, ac expressè consentierunt, ut eadem nomine totius Domûs exhiberetur Dominis Archiepiscopis, Episcopis, Baronibus, & Proceribus Superioris Domûs Parliamenti, ad effectum prædict.

Sessio Undecima.

DIE Veneris, viz. 7°. Martij 1588. secundum, &c. in quodam Sacello ex parte boreali infra Ecclesiam Collegiatam Divi Petri Westm. inter horas octavam & decimam ante meridiem, in præsentia Magistri Johannis Coston & mei Thomæ Barker, Notariorum Publicorum assumptorum, &c.

D. Prolocutor, D. Walsal, &c.

Quibus die horâ & loco, comparuerunt omnes supranominati; quibus Dominus Proloquutor intimavit Continuationem hujus Domûs Convoca-

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tionis

tionis esse factam in diem Mercurij proximum inter horas octavam & decimam ante meridiem in hoc loco, & monuit omnes presentes ad interfendum, &c.

Sessio Duodecima.

DI E Mercurij, viz. 12°. Martij, 1588. secundum, &c. in quodam Sacello ex parte boreali infra Ecclesiam Collegiatam Divi Petri Westm. inter horas octavam & undecimam ante meridiem ejusdem diei, in presentia Johannis Coston, & mei Thomæ Barker, Notariorum Publicorum assumptorum, &c.

D. Prolocutor, D. Chamberleyn, &c.

Quibus die hora & loco, comparuerunt omnes supranominati; & post preces celebratas, Dominus Proloquutor præconizari fecit citatos ad comparendum in hac parte; & præconizatione hujusmodi minimè finitâ, Reverendissimus Pater Dominus Cant. Archiepiscopus, cateriq; Domini Prælati in Superiori Domo, accersiverunt ad se integrum Catum hujus Domus; eosdemq; Dominos Prælatos adierunt in Ecclesiâ Collegiata prædictâ. Itiq; dictus Reverendissimus Pater reprehendit negligentiam sive contumaciam nonnullorum citatorum & monitorum ad comparendum in hac Domo, & non comparentium; ac expressè affirmavit se velle propter eorum contumacias contra eos procedere juxta Furis exigentiam, &c. Et deinde post aliquem tractatum de alijs quibusdam serijs rebus, instanter rogavit omnes presentes ad contribuendum & præstandum aliquam pecuniarum Summam, in Sustentationem & sublevamen quorundam Tyrrell & Tydder Presbyterorum,

rorum, aliquando seductorum instigationibus & persuasionibus falsis scelerati Romani Pontificis ejusq; adhaerentium, ac nuper Errores suos publicè consentientium, nec non sinceram Religionem modò auctoritate Regia stabilitam profitentium. Et mox omnes supranominati in Inferiorem Domum prædict. reversi sunt, & tunc ibidem finita fuit præconizatio, ut præfertur, citatorum, &c. ac etiam facta fuit collectio in usum præfatorum Tyrrell & Tydder ad Summam 3 l. 14 s. 10 d. Quibus sic gestis, Dominus Prolocutor intimavit omnibus præsentibus continuationem hujus Convocationis esse factam, usq; diem Veneris proximum in hoc loco, inter horas octavam & decimam ante meridiem, & monuit omnes jam præsentem ad tunc ibidem interessendum.

Sessio Decima Tertia.

DIE Veneris, viz. 14^o. Martij, 1588. secundum, &c. in Ecclesiâ Collegiatâ Divi Petri Westm. comparuerunt omnes infranominati inter horas præsignatas, in præsentia Johannis Coston & mei Thomæ Barker, Notariorum Publicorum assumptorum, &c.

D. Prolocutor, D. Wood, &c.

Dictis die hora & loco, comparuerunt omnes supranominati; quibus facta fuit intimatio de Continuatione hujusmodi Convocationis, usq; in diem Mercurij proximum inter horas octavam & undecimam ante meridiem, in hoc loco.

Sessio Decima Quarta.

DIE Mercurij, viz. 19°. Martij, 1588. secundum, &c. in quodam Sacello infra Ecclesiam Collegiatam Divi Petri Westm. inter horas octavam & decimam ante meridiem ejusdem diei, in presentia mei Thomæ Barker, Notarij Publici assumpti, &c.

D. Prolocutor, D. Bulleyn, &c.

Quibus die hora & loco, convenerunt omnes supranominati; quibus facta fuit intimatio de Continuatione hujus Convocationis, usq; inter horas secundam & quartam pomeridianas, in hoc loco.

Sessio Decima Quinta.

Eodem die in loco ac inter horas præassignatas in presentia Magistri Johannis Coston & mei Thomæ Barker, Notariorum Publicorum assumptorum, &c.

D. Prolocutor, D. Chamberkeyn, &c.

Quibus die hora & loco, comparuerunt omnes supranominati; & mox accersiti fuerunt ad Reverendissimum Patrem aliosq; Dominos Prelatos in Superiori Domo, cõsq; adierunt, ibiq; Reverentissimus Pater perlegi fecit quosdam Articulos nuper per Regiam auctoritatem approbatos, ac per totam Provinciam Cant. observatos, quoad personalem Residentiam super beneficijs Ecclesiasticis, & Pluralitates beneficiorum, &c. Ac postea tractatam aliquem de eã re invicem habuerunt

runt. Quibus sic gestis, reversi sunt in Inferiorem Domum, ibiq; Dominus Proloquutor intimavit omnibus præsentibus continuationem hujus Convocationis esse factam usq; in diem Veneris proximum, in hoc loco, inter horas octavam & decimam ante meridiem.

Sessio Decima Sexta.

DIE Veneris, viz. 21^o. Martij, 1588. secundum, &c. in quodam Sacello ex parte boreali infra Ecclesiam Collegiatam Divi Petri Westm. inter horas octavam & decimam ante meridiem in præsentiâ Magistri Johannis Colton & mei Thomæ Barker, Notariorum Publicorum assumptorum, &c.

D. Prolocutor, D. James, &c.

Quibus die hora & loco, comparuerunt omnes supranominati; ac eorum plures intrarunt Domum Convocationis unâ cum Domino Proloquutore; ubi Dominus Proloquutor statim intimavit omnibus præsentibus hanc Convocationem esse continuatam, usq; inter horas secundam & quartam pomeridianam in hoc loco; & monuit omnes præsentes ad tunc interessendum.

Sessio Decima Septima.

EOdem die, in loco ac inter horas præsignatas, in præsentiâ Magistri Johannis Colton & mei Thomæ Barker, Notariorum Publicorum assumptorum.

D. Prolocutor, D. Pearne, &c.

Quibus

Acta in Inferiore Domo

Quibus die hora & loco, comparuerunt omnes supranominati; quorum nonnulli intrarunt Domum Convocationis, unà cum Domino Proloquutore; quibus intimavit ad statim Continuationem hujus Convocationis esse factam, Usq; in diem Mercurii proximum, inter horas octavam & decimam ante meridiem in hoc loco; & monuit omnes presentes ad tunc ibidem interessendum, &c.

Sessio Decima Octava.

DIE Mercurii, 26°. viz. die mensis Martii, Anno Domini 1589. in quodam Sacello ex parte boreali infra Ecclesiam Collegiatam Divi Petri Westminster, inter horas octavam & decimam ante Meridiem ejusdem diei, in præsentia mei Johannis Coston, Notarii Publici, &c.

D. Prolocutor, D. Wood, &c.

Illis comparentibus Dominus Proloquutor significavit Convocationem esse prorogatam in Crastinum diem, viz. diem Jovis 27. diem præsentis Mensis Martii inter horas nonam & undecimam ante Meridiem in hoc loco. Et monuit præsentibus ad tunc ibidem interessendum.

Sessio Decima Nona.

DIE Jovis, 27. viz. die mensis Martii, 1589. in quodam Sacello infra Ecclesiam Collegiatam Divi Petri Westminster, ex parte boreali ejusdem Ecclesiæ, inter horas octavam & decimam ante Meridiem ejusdem diei, in præsentia mei Johannis Coston Notarii Publici.

D. Prolocutor, D. James, &c.

Quibus

Quibus die & loco, Dominus Prolocutor significavit hiis comparentibus Convocationem hujusmodi esse prorogatam in Crastinum diem, viz. 28. diem presentis mensis Martii, inter horas octavam & decimam ante Meridiem ejusdem diei, ad hunc locum, & monuit, &c.

Sessio Vicesima.

DI E Veneris, 28°. die Mensis Martii, Anno Domini 1589. in loco prædicto in præsentia mei Johannis Coston, Notarij Publici, &c.

D. Prolocutor, D. Chamberlayne, &c.

Quibus die & loco, Dominus Prolocutor intimavit hiis comparentibus Convocationem hujusmodi esse prorogatam, in pomeridiano hujus diei inter horas primam & quartam ad hunc locum, &c.

Sessio Vicesima Prima.

IN Pomeridiano ejusdem diei, in loco prædicto, in præsentia mei Johannis Coston, Notarij Publici, &c.

D. Prolocutor, Mr. Gabriel Goodman, &c.

Quibus die & loco, Dominus Prolocutor verbo tenus intimavit hujusmodi Convocationem esse continuatam juxta decretum Domini Archiepiscopi Cant. viz. in diem Mercurij proximum, viz. secundum diem Mensis Aprilis, inter horas
nonam

Acta in Inferiore Domo, &c.

nonam & undecimam ante Meridiem ejusdem diei, ad hunc locum, &c.

Quo die adveniente, Dissoluta extitit hujusmodi Convocatio ad honorem Dei celebrat^a. &c.

Observations

OBSERVATIONS

FROM

*The foregoing Acts of the Upper
and Lower House, concerning the
Right of CONTINUING the
Convocation, &c.*

THIS Question about the *Right to Continue*, has been consider'd at large under all its Circumstances: for a more particular Account whereof, the Reader is refer'd to the *Vindication of the Archbishop's Right*, and the *Reflections* upon the late *Expedient*. At present, I intend to confine my self to the *SCHEDULE OF CONTINUATION*, and such short Remarks thereupon as arise more especially from the Acts of those five Convocations which are here made publick. The Acts, being the most *entire* that remain to either House, and all along expressing the *Forms* at length, are undoubtedly our proper Guide; and the Questions upon this Head, turn immediately upon the true Meaning and Extent of the *Schedule*: however some late Writers, to avoid the force both of the *Acts* and the *Schedule*, have perplext the Cause, and amus'd the World, with a variety of little Cir-

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cumstances

cumstances, obscurely enter'd in some imperfect Minutes.

The Schedule constantly mention'd in the Upper-house Registers.

In the Upper-house Acts, Anno 1562, 1640, & 1661, the Reader will observe the *Schedule of Continuation* all along mention'd at the end of the Sessions, to specify the *Manner* of that Act, and of the *Execution* thereof by his Grace: *Prout in Schedula per eum Lecta, Juxta Schedulam per eum Lectam, Juxta tenorem Schedulæ per eum Lectæ*: And then the *Entry* usually introduc'd in these words, *Cujus quidem Schedulæ verus Tenor sequitur in hæc verba*, In Dei nomine, Amen, Nos &c. But the *original Schedules* being deposited in the Registry of the Archiepiscopal See, the Notaries thought it sufficient to refer to them in that manner, and have left us no one Copy thereof in all the Acts of Convocation. Whatever *Schedules* remain'd in the Office Anno 1666. were consum'd in the Fire of London; but from that time, we have great numbers of 'em, beginning as the ancient ones did, and without doubt copy'd from them. Those from the Year 1666, to 1670 inclusive, have been discover'd lately, and will be produc'd anon, to prove that the Clause *Convocatio Prælatorum & Cleri*, is not only a very *material*, but also a *genuine* part of the Archiepiscopal *Schedule*.

The Antiquity of Schedules in Convocation.

The Use of *Schedules* in an *English Synod*, is much more *ancient* than the Reformation, or the Division of the two Houses. Under Archbishop *Chichele*, we meet with frequent mention of them in the Business of *Subsidies, Constitutions*, &c. but I have never observ'd any Foot-step of a separate *Schedule of Continuation*, while the two Houses debated together. In 1438 the Register

gister of that Year gives us the Copy of a Decree or Sentence against the Absents, which includes a Prorogation also, with an Admonition to the Members then present, to attend according to the Tenor thereof, *Et presentem Convocationem usque in & ad, &c. Continuamus: Momentes insuper omnes & singulos jam presentes, ut die predicto compareant, &c.* But whether in those days all the Continuations were formally drawn in Writing, or only pronounc'd *viva voce* by the Archbishop or his Commissary, the Acts have no where told us; nor do I meet with any Circumstance upon which a Conjecture on either side may be fairly grounded. The Registers of the Archbishops say nothing of Proceedings in Convocation after the Year 1488. from which time we have no Accounts (at least that I know of) before 1529. when the Extracts out of the Upper-house Books begin. In some Sessions of that Year, we find it expressly mention'd as a written Form; and the Form it self directly refer'd to by the Abridger, as enter'd at length in the original Acts. — Sess. 2. *Continuavit, &c. cum verbis in Scriptis, quod Scriptum ibidem Sequitur.* — *Quod fecit in Scriptis, ut ibidem.* Anno 1532. Sess. 1. it is said in the Abstracts with Reference to the original Register, *Item inseritur Tenor Continuationis sive Prorogationis in diem Martis prox.* But within two Years (Anno 1534. Dec. 16.) express mention is made of the Schedule, as a separate Paper out of which the Continuation was pronounc'd: *Episcopus London [Commissarius] Continuavit in diem Veneris in horam secundam, ut in papyri Schedulâ quam in manu tenuit.*

See it at
large p. 33.
of this Book.

Till this time, for ought appears, the Form of Continuation was enter'd at length in the Registers, as it still is in the Convocation of *York*, where the Clergy (if they be retir'd on any particular Occasion) are sent for to be present at the Continuation solemnly pronounc'd out of that Form by the Archbishop or his Commissary. And so it probably was (for we can go no farther than *Probabilities*) in the Province of *Canterbury*, for some time after their Separation.

The Inferior
Clergy present at the
Archbishop's
Continuations.
ons.

Even in these Extracts, express mention is made of the Presence of the Inferior-Clergy at the Continuations of the President; and there are other Instances, in which their Attendance in the Upper-house, and the Continuations there are so express'd, as to make it probable at least that some of the Clergy, if not the whole Body, were present at them.

Anno 1529. Sess. 14. The Continuation in the Upper-house is made to the Friday following, *Presentibus aliquibus de Clero, sed paucis Suffraganeis.*

Anno 1529. Sess. 2. The Upper-house Book: *Monitus est Prolocutor cum Clero — quod comparerent prox. die Veneris, loco & hora, &c. & sic continuavit, &c. to the same Day.*

Anno 1529. Sess. 17. The Commissaries Continue in the Upper-house, *Presentibus Prolocutore & multis aliis de Clero.*

Anno 1555. Sess. 2. The Lower-house having receiv'd in charge what they were to consider against the next Session, *Dominus Praeses, absentibus omnibus prius preconizatis & nullo modo comparentibus, pro Contumacibus pronuntiatis, continuavit —*

Anno

Anno 1557. Sess. 8. The Archbishop having admonisht *Clerum Domus Inferioris*, not to depart without leave, *inde continuavit in diem Mercurij 16. Februarij, prox. hora 2. post-merididem, &c. monuitque omnes, &c. ad interessendum.*

Anno 1586. Dr. Awbrey, as Commissary to the Archbishop, Continues *Hujusmodi Convocationem in Statu quo nunc est, &c. presentibus tunc ibidem Venerabilibus Viris M^{rs}. Mullyns & Walker ex Cetu Inferioris Domus, necnon aliis testibus, &c.* This was done in the Chapter-house of St. Paul's, the Place of the Bishops; and is enter'd in the Lower-house-Journal as the Continuation of that House, *Edward Say* their Actuary being also present.

From the foregoing Observations upon the Form and Manner of Continuation, this Account of it may (in my Opinion) be fairly collected. While the Custom was, to enter it at large in the Register, (as we see they did in 1529 and 1532.) the Convocation was either Continu'd in a Body, as it still is in the Province of York, or notice thereof was given to the Inferior-Clergy by the Prolocutor, or some other Authentick Hand. But the Business of Convocations increasing, and the Clergy growing thereupon into a more *separate* State as to their *Debates*; the Prolocutor's coming up constantly to receive the Notice might appear troublesome, and a proper Person by whom to convey it immediately to the Lower-Clergy might not always be in readiness; and so the Form, which the Actuary was wont to enter in the Register for the Archbishop's Reading, began to be drawn upon

A short Account of the Schedule.

a separate Paper or Schedule, from whence (as a Notice more certain and easy) the Prolocutor should *intimate* the Continuation to the Lower-house. And then we find that the Notary, instead of Transcribing it into the Register at length (as he had done at the beginning) thought it sufficient to *refer* to that original Schedule, as ultimately deposited in the same Office with the Acts of both Houses of Convocation.

The deriving our Schedules from the Lateran-Council, an improbable Scheme.

I have been told of a Scheme lately offer'd, to shew that the Use of these Schedules in our *English* Convocation, was derived from the same Method in the *Lateran Council* under *Julius XI.* and *Leo X.* If this Scheme be made more publick, we may expect that the Author thereof shew us, either some particular *Constitution* in that Council *establishing* such a Rule for the future Proceedings of Provincial Synods; or some notice in our Histories that Archbishop *Warham* (out of a particular liking to the Model) resolv'd to make it a Rule for his own Synods; or at least some evident changes of the manner of holding an *English Convocation*, in conformity to that of the *Lateran Council*, upon the publication thereof by order of Pope *Leo* the Tenth.

These are proofs which will be naturally call'd for to support such a Notion. And yet (if I am not much mistaken) the Author of that Scheme will not be able to confirm it by any one of them: And the *Form* (I am sure) of those Schedules in the *Lateran Council*, are as different in all respects from our most early Schedules of Continuation, as two Instruments of the same design and tendency can well be conceiv'd.

The

The reason why so many Schedules appear in the Printed Acts of that *Lateran* Council, is plainly this : After it was over, Pope *Leo* employ'd one of the Cardinals, *Antonius de Monte*, to draw up the *Acts* and *Proceedings* Entire ; taking every thing at large, as they lay in the original Instruments and were enter'd by the Notaries upon the place. This was afterwards made publick, by Authority of the Pope : But I hope this new account of the Original of *English Schedules* depends not upon this strange Inference, that because the same Schedules appear not in the Printed Acts of former Councils (the *Matter* and *Decrees* whereof, were only made publick, without the *Forms* of Proceeding) therefore such Schedules were not us'd in the holding of Councils before. And, as to those that came after, had Pope *Leo* intended this we speak of, for a Pattern to future Councils, we might at least expect to find every thing in the Council of *Trent* exactly agreeable to that Model : And yet these *Methods* don't appear there; and so the same argument (the silence of the Printed Acts) which makes those in the *Lateran* Council the first of the kind, will prove them also to be the last. But as the thing appears to me at present, I see no reason to doubt whether the Councils both before and after, did not proceed in the same methods with those we see in the *Lateran*; only the other Popes hapn'd not to be so curious as *Leo* the Tenth, in publishing the *Forms* of Proceeding, with the *Decrees* of their Councils. Tho' as to this point of the Schedules, even in the Year 1431. (long enough before the *Lateran* Council) we find the Legat and the other Prelates, &c. in the Council of *Basil*, solemnly met

in certâ Aulâ, &c. in quâ soliti sunt pro Conciliis tenendis in unum convenire, and decreeing a Day for the first Session expressly by Schedule; prout in Schedulâ, cujus tenor inferius primo loco describitur, plenius continetur.

The Dispute depends not upon Proposing by Schedule, or otherwise

However, what is here said concerning *Schedules* in the Councils Abroad, I offer only as my own present thoughts; not knowing particularly enough how that Scheme, deriving our Methods from the *Lateran Council*, is laid. Nor would I have the foregoing account of the use of *Schedules* in an *English Convocation* to be so understood, as if in the present Dispute it were at all material, whether his Grace pronounc'd the Continuation from a *separate Paper*, or from the Form written in the *Register*; or yet whether the Prolocutor's Intimation to the Clergy be upon Notice by the *Schedule*, or by any other *Authentick Conveyance* of his Grace's Act. I only propos'd, according to my Method in explaining the *other Heads*, to lay before the Reader whatever the *Registers of Convocation* afford upon *this*.

But in the Disputes depending between the two Houses, the *Conveyance* of this Notice is no longer a Question, since those of the Lower-Clergy have receded from their *Independent Power of Adjourning* to a Day beyond that of the Upper-house. For as their owning an *Obligation* to attend at his Grace's time, supposes a necessity of *some kind of Notice* to what Day and Hour the Continuation is made; so if that Notice be but authentick, 'tis indifferent in what manner it comes.

The Heads upon which the Dispute turns.

The *Questions* therefore in short, are these:
I. *What is it that the Archbishop or his Commissary*

missary pronounces in the Upper-house?
II. What is it that is thereupon intimated or signified to the Lower?

I. What is it that the Archbishop or his Commissary pronounces in the Upper-house? Is it the Continuation of the *Bishops and Clergy*; i. e. of the *whole* Convocation? or, Is it the Continuation of the *Upper-house* only?

In the current Stile of these three entire Registers of the Upper House, the Body Continued is *hujusmodi Convocatio sive sacra Synodus Provincialis*. And as I may appeal to every unprejudic'd Person whether he had ever any notion of these terms, than as including the *Prelates and Clergy* assembl'd in *Convocation*; so for a proof that they have constantly the same sense in the *Acts* of Convocation, I may safely refer to almost every Page of the Registers, and to the Account given from thence in a larger *Vindication of the Archbishop's Right*. Not to mention, that this is the expression in several remaining *Schedules* by which the Convocation is Continued upon the *Royal Writ*; and in those Cases the Lower Clergy are acknowledged on all hands to be certainly *Included*.

The Bishops and Clergy jointly Continu'd in the Upper House.

Page 41, 45.

But, as I observ'd before, the *Registers* only mention the Continuations with *reference* to the Schedule, from which the Act is immediately pronounc'd, and the *meaning and extent* thereof is by consequence to be taken. It is well known that the *Schedules* before 1666. were all consum'd in the Fire of *London*; and the most early one that was thought to remain in the Office when I publisht the *Right of the Archbishop*, is in the Year 1670. An entire Copy thereof is given in that Book; and by it the President

The Schedule evidently comprehends both Bishops and Clergy.

Page 39.

(without any mention of the Consent of his Brethren) Continues *presentem sacram Synodum sive Convocationem Prælatorum & Cleri*, to a certain day, hour and place, all distinctly specified therein.

Right of
the A. B.
P. 40, 41.

To evade the force of this, some frivolous Ojections were rais'd at the first against the *Nor-ry* and the *Schedule*; but these have been already consider'd; indeed, much more particularly than they deserved.

It has been further urg'd, that from the Year 1673. the remaining Schedules usually run in a different Style, *Nos, &c. Continuumus hujusmodi Convocationem sive sacram Synodum Provinci-*

Right, &c.
P. 44, 45.

The Clause
Prælat. &
Cleri, a
genuine
part of the
Schedule.

alem. But suppose these terms not to include the Lower Clergy so effectually as those of the Schedules in 1670. &c. (which yet we have prov'd they do;) the most *Early* Schedules must certainly have a better Title to be thought the *true* and *genuine* Forms, than any of those that come after them. But this Cavil, if it were of any moment, is now sufficiently answer'd by many more Schedules lately come to light, from the Fire of *London* to 1670. fifty three in number, and all in the same terms with those of 1670, &c. viz. *presentem sacram Synodum sive Convocationem Prælatorum & Cleri Cant. Prov.* This therefore being the *genuine* Language of the *Archiepiscopal* Schedule, and the Continuations of the Lower Clergy having by our concurrent Registers been ever to the same *time* and *place* with those of the Upper House; let the common reason of Mankind judge, how any scruple can remain Whether the Clergy have been always *comprehended* in the Continuations Above?

The Journals affording no direct Testimonies of the *transmission* of the Schedule to the Lower Clergy, this has lately been made another question. In Answer to which, I have elsewhere shown more at large, that if the Lower Clergy be *Included* in the Continuation Above (as we have just now prov'd they are) it matters not which way the Notice thereof is convey'd, so long as the Conveyance is *clear* and *authentick*.

The transmission of the Schedule, only a circumstance in this dispute. Reflex. upon the Exp. P. 19.

However, 1. It is enough that the Custom of *sending down* the Schedule is in *Possession*; having been constantly practis'd in the Convocation of 1689. without any *scruple* or *opposition* from the Lower Clergy. And therefore, by all the Rules of deciding questions of this Kind, We have a right to plead *Possession*, and it lays on *Their Side* to prove the Practice an *Innovation*.

Reasons to believe that the Schedule has been ever sent down.

But, 2. we urge, according to the foregoing account of the *Schedule* and the *Rise* thereof, that there could be no other end in changing the usual *Entry in the Register* into a *Separate Schedule*, besides the *transmission* of it to some other place: Observing withall, that in the Convocation of *York*, where the Bishops and Clergy are Continu'd in a *Body*, the Form is still Read by the President out of the *Journal* it self.

3. That by the tenor of the Schedule, it is the *Reading* which effects the Continuation; and therefore the Additional *Signing* must be in Order to make it an *Authentick Act* to some other Body. Accordingly, in the Province of *York* it is never *Sign'd*, because the Clergy being present, there is no occasion to send it down.

As to the *Attestation*, there is this difference between the Schedules *before* and *after* the Year 1670. that those *before* are usually attested by the

the Notarie's adding the Names of the Bishops *present*, as Witnelles of the *Act*; whereas the *following* ones (when no Bishops seem to have been present) are attested by the Notary himself.

4. In the Lower House Book of 1588. *Sess.* 21. the Reader will find an *Intimation* thus express'd, *Dominus Prolocutor verbo tenus intimavit huiusmodi Convocationem esse continuatam juxta Decretum Domini Archiepiscopi Cant.* This unusual Addition of the Words *Verbo tenus* must imply that the *usual* way of Intimating was from a *written Paper*; and having never seen or heard of any such Paper us'd in Continuations besides the Archiepiscopal *Schedule*, I must conclude (till some *other Paper* be produc'd) that this expression is directly oppos'd to the Intimations *from the Schedule*, as the *Establisht* way of Continuing the Lower House at that time. Adding withal, that this *transmission* of it is no *Act of Necessity* on the Archbishop's Side (for his Grace has a right either to *send up* for the Prolocutor to receive the Notice, or to send it down to the House by any other Authentick Hand, and both shall be equally binding with the *Schedule*;) but it was design'd only for an *Ease* to the Prolocutor, and a more *sure* Conveyance to the Inferior Clergy.

The Prolocutor is judge of the time of Intimating when the President does not interpose.

The *Schedule* put into the Prolocutor's hands, is a *legal Notice* of the *Act* above; not to the *House*, but only to *him*, who governs the Debates there under the President, and is bound in this and all other Cases, to signify to the Lower-house the *Instructions* and *Commands* of the Upper. The thing to be signify'd, is the Continuation of *Bishops* and *Clergy*, or of the *whole*

whole Synod, pronounc'd in the Upper-house by the President, who has thereby (in *strictness* of Law) a Right to put an end to the Session in the Lower-house by an *immediate* Intimation, if he see cause to require it of the Prolocutor; and it is this *legal Power* which I assert in the larger Vindication of the *Archbishop's Right*, pag. 98, &c. But since the President, incapable in this *separate State*, to moderate the Debates of the whole Synod, commits that Care to the Prolocutor in the Lower-house; if the Schedule be not accompany'd with any particular *Direction* as to the *Time* of breaking up, his Grace is presum'd to leave the Person entrusted with moderating there, to judge when the Business of that Day is over, and when by consequence the House shall have *legal Notice* of the Continuation. Nor can they who plead for a Right in the *Clergy* themselves to make this Judgment, shew us, that the *Consent* or *Opinion* of the Clergy was ever *askt* or *given* in order to this Intimation, before the first Convocation in 1701.

The true *Form* of this Intimation can be nowhere learnt, but from the Lower-house Books of 1586 and 1588, which I have often observ'd to be the only *exact* Journals of that House now remaining; those of 1640, 1661, &c. being only short *Minutes* of what pass'd, in order to be afterwards reduc'd into Acts by the Addition of the usual *Forms* and *Methods* of Proceeding. And when Men openly decline to follow *plain* and *distinct* Directions, and chose rather to be guided by some *imperfect Hints*, it looks as if they neither car'd nor intended to keep in the *right way*.

These

See Right
of the Arch-
bishop, p. 98.

The Form
of Intima-
ting to be
taken from
the two ex-
act Journals

The ordinary Phrase ought in reason to be the established Form

These two Journals therefore are our *proper Guides* in this Matter; and if an *established Form* were to be settl'd and agreed on, the most reasonable Proposition would certainly be, to adhere to the *current* and *ordinary* Stile, and to lay aside any accidental *Exceptions*, upon a Presumption of their having only been us'd upon some special Occasions.

Declaring by Intimation, the ordinary Form.

The Forms of Declaring the Continuations in the Lower-house during the foremention'd Conventions, are now printed at large; but that the Reader may be enabl'd to make a *sure* and *easy* Judgment, he shall have the same *general View* of them that has been lately drawn in the Reflections upon the *Expedient* propos'd.

“By INTIMATION expressly, 1586 (the first Meeting) *Sess.* 2, 7, 8. The second Meeting, *Sess.* 1, 2, 3, 4, 5, 7, 9, 10, 11. Anno 1588. *Sess.* 2, 3, 4, 5, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 20, 21. By SIGNIFICATION (of the self-same Import with the *Intimations*) Anno 1586. (the second Meeting) *Sess.* 8, 12. Anno 1588. *Sess.* 6, 18, 19. — These, with the Continuations by Dr. Awbrey (February 17. and March 22. 1586.) and the Departure of the Lower-house Members (March 8. 1586.) upon hearing of the Continuation by the Commissary; make up the *thirty six* Instances on the Archbishop's side, which I affirm'd to be in these two Journals of the Lower-house.

Right of the Archbishop, p. 32.

The Continuations in a *different* Stile, *Continuavit quoad hanc Domum*, are seven; all in 1586. (the first Meeting) *Sess.* 2, 4, 5, 6, 9, 10, 11.

From

From hence, the ordinary way of Declaring appears to be by *Intimation*: And as the Continuations *quoad hanc Domum* are set in Comparison of the others, so the very Writer who has carry'd the Independence of the Lower-house much higher than any of his Brethren, assures us at the same time that the Phrase was introduc'd upon a very particular Occasion, viz. the Archbishop's putting the Prolocutor into his *Commission* for Proroguing. As to the present Case therefore, he will not (I hope) propose the Use of an *extraordinary Form*, on ordinary Occasions, or in any other Circumstances than those from which it is known to have taken its Rise. Especially, when the Declaring by *Intimation* (which appears to have been the *common and ordinary Form*) is so apposite in all respects to the *Design* and *Nature* of that Business. For,

Phrase introduc'd on extraordinary Occasions, not to be the ordinary Form.

Power of the Lower-house, p. 7: col. 2.

II. The thing to be declar'd by the Prolocutor to the Lower Clergy, is the Act of Continuation pronounc'd in the *Upper House*: And it has been elsewhere shewn at large, that the term *Intimavit*, as well in its *natural* notion, as in *Convocation* language, properly signifies a *Conveyance* of the knowledge or notice of a thing from one Body or Person to another; as this of the Prolocutor is, from the *Upper House* to the *Lower*.

Right of the Archbishop, p. 59, &c.

It was warmly pleaded at the beginning, that the Prolocutor's *Intimation* had immediate reference to an Act or Vote of the Lower House; but that Notion seems now to be deserted, both upon an evident absurdity of *Intimating to the House* a Notice receiv'd directly from the House, and also the want of Proof, or even a *Colour* there-

The Prolocutor's Intimation refers not to the Consent of the House, but only to the Act of the Archbishop.

of, that any such *Vote* or *Consent*, of which they suppos'd this to be the *Intimation*, was ever pass'd or mention'd in the House antecedent to that Act of the Prolocutor.

And yet the late form *Intimamus hanc Convocationem*, &c. seems to have been introduc'd to give the House a *part* at least in the *Authority* of Continuing; because the Prolocutor can have no such Right, as the President exercises, to speak of *himself* and his own Act in the *Plural*. If that be the *intention* of using it (as I see not what else can be meant) I must beg leave to think it an *Innovation* highly prejudicial to the Authority of his Grace and the Upper House; till some foot-steps can be shown of the *Consent* or *Vote* of the House, *imply'd* in that Form, or at least the Form it self can be justifi'd by Precedent: For as to the *Intimations* in 1586, and 1588. 'tis evident enough that they were the *sole Act* of the Prolocutor, *Prolocutor intimavit hanc Convocationem esse Continuatam*, *Prolocutor intimavit Continuationem hujus Convocationis*, &c.

The Intimation given at the Command of the President.

And it is no less plain (whatever hath been pretended to the contrary) that this Act of the Prolocutor was *then* understood to be purely an Intimation of what was done in the *Upper House*, given in the Lower by the *Command* and *Authority* of the President. To which purpose it is Remarkable all along, and the Reader himself will observe it, that the Intimation is frequently made at the Conclusion of *other* Notices deliver'd by the Prolocutor from the Upper House. But in some places it is expressly said to be done by the *Decree* and *Command* of the Archbishop; and in others to be a direct and immediate Notice

See Anno
1535. Sess.
5. 8. 9. &
1588. Sess.
21.

tice

tice of the Continuation pronounc'd Above. So, Anno 1588. Sess. 9. Dominus Episcopus London, &c. Continuavit, &c. Quam Continuationem Dominus Prolocutor intimavit omnibus presentibus. Add to these, the instance of the Archbishop's Indisposition, and the Adjournment thereupon to Lambeth: The Prolocutor coming from the Upper House, acquaints the Clergy that the Bishops had receiv'd notice of his Grace's illness, *ita quod non potest sine vite sue periculo hanc Ecclesiam Collegiatam accedere. Et ideo intimavit quod Concessus hujus Donus continuatur usque inter horas, &c. in Palatio dicti Reverendissimi Patris, &c.* To the same purpose, is that in 1588. Sess. 6. where the Prolocutor at his return from the Upper House, *significavit omnibus presentibus, Quod Reverendi Patres minime approbarent quasdam ex Clausulis, &c. Quodque lapsus temporis non pateretur in presenti ulteriorem tractatum sive deliberationem de ea re; Ideoque ulterius significavit Continuationem hujus Convocationis esse factam, &c.*

After so many and plain testimonies, I suppose it will be acknowledged that the Intimation in those two Journals was a Notice of the Continuations in the Upper House, declar'd to the Lower by the Prolocutor, upon the Command and Authority of the President. And as to the Question, Whether the Lower Clergy be determin'd by such Continuations, this resolves into their being Included in the terms of them; which I hope is already prov'd both here and elsewhere, to the full satisfaction of every impartial Reader. And I appeal once more to the common reason of Mankind, Whether the Prolocutor or Actuary of that time (supposing them, according to the

Anno 1588.
Sess. 8.

Reflex. on
Exp. p. 22.

new Notion, to mean the Continuation of the *Upper House* only) would not at least have express'd the Intimation in a more general Way, *Convocationem esse Continuatam*, and have omitted the Words, which yet they all along express, *hanc* or *hujusmodi*; which might indeed confine it to the Continuation of the *Lower House*: if the sense of the Word *Convocatio* would bear it, but can never imply the *Separate Continuation of the Upper*.

A formal
Intimation
of the Pro-
locutor, not
necessary
to Continue
the Lower
House.

It may be proper to observe here from the Journal of 1586. that a *formal Intimation* by the Prolocutor is not at all necessary to Continue the *Lower House*. In the 5th, 8th, and 9th. Sessions of the Second meeting of that Year, the Prolocutor was absent; and the Continuation must therefore be Intimated by some other Person coming from the *Upper House*, who had knowledge of the day. For the Journal having reckon'd by Name *all* the *Lower House* Members who were present on those days, adds, *Quibus Intimatum* (and, in one Instance, *Significatum*) *fuit hujusmodi Convocationem esse Continuatam*, &c. The 6th. Session is yet more remarkable to this purpose. Then, seven of the *Lower House* appear, but no Prolocutor, *Et eo quod satis bene norunt hujusmodi Convocationem esse Continuatam in diem Veneris prox. &c. post aliqualem moram discesserunt*.

Can any thing be clearer, than that the Members in all these Instances took themselves to be comprehend'd in the Continuation Above, and absolutely determin'd by it? As soon as they knew what *had been, or was to be*, done in the *Upper House*, they askt no more Questions; but presently departed, and attended punctually according

ding to the *time* and *place* appointed there : Which attendance is said in the Journal to be *inter horas præassignatas* ; and 'tis plain there was no other *Assignment* of Time, but what his Grace's Commissary made.

The Continuations by the Archbishop in the Upper House, with a *reservation* of power to shorten or alter the Time upon notice to the Bishops and Clergy, are another evident Testimony that the Clergy in those days were thought to be absolutely *concluded* by his Grace's Act. For how could they be otherwise affected by the *Limitations* of it, and think themselves under an obligation to comply therewith ? Many Instances of this kind appear in the Extracts out of the Upper House Registers, between the Years 1532, and 1588. particularly enumerated and apply'd in the *Right of the Archbishop*, &c. p. 48, 49. To which place I refer the Reader, intending to confine my self as much as may be to such Observations as arise from the Acts of the Five foregoing Convocations.

Upon one head only (the President's Right to Continue the Inferior Clergy in the Upper House) I have before brought Testimonies from other Journals also, because the *Right* has been so lately question'd, and the *Exercise* of it so freely censur'd as new and *unprecedented*.

It is acknowledg'd on all hands, that while the Bishops and Clergy remain'd together, they were jointly Continu'd by an Act of the President. Doctor Aiterbury confesses that he preserv'd this Power [of Adjourning the Inferior Clergy] after they were separated : And it has since been abundantly prov'd, that they are *Included* as much as ever in the Continuation Above.

Continuations to be shorten'd at pleasure, shows the Clergy to be Included.

The President's Right to Continue the Clergy in the Upper House.

Rights, &c. Pag. 492. Ed. 2.

bove. They were therefore, *after* the Separation, equally affected by the President's Act; and it made no difference, whether it was *declar'd* to them immediately by his Grace, or by any other Hand legally empowr'd to report the Commands and Directions of the Upper House. And since it had the self same *Effect* when *notified* by such a hand, and so the attendance of the whole Body of the Clergy was an unnecessary trouble; therefore the *Intimation* thereof by the Prolocutor, became the *ordinary* Method. But will any Man say, that the President by this *Indulgence* to the Inferior Clergy (I mean, an Exemption from *Constantly* coming up) could ever intend to preclude his Right of *requiring* their *Personal* Attendance, as oft as he saw *occasion*? Being only a matter of *Form*, and done also as effectually by *Intimation*, and the President intending *ordinarily* that the Lower Clergy should not be oblig'd to break up till they could finish their Debates: On these accounts, that Right may have been *seldom* exercis'd; but yet not wholly diffus'd, as appears from the foregoing Instances, and would probably be seen in many more, if our Accounts of Convocation since the Bishops and Clergy debated apart, were not so very imperfect.

But the late instance complain'd of, is not only to be justifi'd, as that *Power* is legally vest'd in the President, but also as the *Exercise* of it, in those Circumstances was indeed the effect of *Necessity*. The Prolocutor being indispos'd, had made a Substitution to another, who took the Chair without the *Confirmation* of the President and Bishops: This was oppos'd by several of the Members, as irregular; and as such was represented

presented to the Upper House, who were of the same Opinion, but resolv'd however to take the matter into Consideration against the next meeting. At the best therefore, it was *doubtful* whether any one was legally Substituted to exercise the Office of a Prolocutor: But, which is more, the *Intimation* of the Act of Continuing is a *Referendary-Act* (a *Report* from their Lordships to the Lower House,) and they who contended the most Zealously for his taking the Chair, declar'd it to be their intention that he should not act in any instance as a *Referendary*, till he had been confirm'd by their Lordships. To argue upon their own principles, I only *suppose* this distinction between a *Prolocutor* and a *Referendary*; but no such appears in the Registers, which stile him not only *Prolocutor* & *Referendarius*, but *Prolocutor sive Referendarius*, implying the names to be of the same *Import* in the language of Convocation. But this will be explain'd more largely under another head. At present I will pursue my *Observations* upon the general *Right* of Continuing, from the five Journals which are here made publick.

The only colour that can be drawn from these, *The Phrase* of a *Separate Power* of Continuation in the Lower House, is the Phrase of some Continuations in 1586, *Prolocutor continuavit quoad hanc Domum*. But here, no *Act* or *Power* is express'd besides that of the *Prolocutor*; and they who are so earnest for an *Inherent Power* in the House, are yet as zealous as we against all pretences to a *Personal Authority* in the *Prolocutor*. *Continuavit quoad hanc Domum, no Argument for a Separate Power in the L. House.*

The Question therefore is, by whose *Authority* he must be suppos'd to Continue in those Cases?

Cases? by that of his *Grace*, or of the *Lower House*? He had certainly *notice* of the Continuations in the Upper House, because these in the Lower are declar'd to the *same* time. And the Advocates for this *Inherent Right* are at last brought to Acknowledge an *Obligation to attend* on his *Grace's* Day, and by consequence the *necessity* of having an Authentick *Notice* thereof. The Prolocutor is also known by his Office to be the *Referendary* or *Reporter* of all Messages from the Upper House, and I think sufficiently prov'd in the 4th *Chapter* of this Book to moderate the Debates of the Lower in his *Graces* *stead*. These are natural reasons why Continuations (express'd in such *general* terms) should be the pure *Effects* of the President's Authority; but as to the *Vote*, *Act*, or *Consent* of the *Lower House*, there is no mark or footstep of it either in these or any other Separate Continuations.

The Phrase it self, not to be met with elsewhere in all our Journals of Convocation, was *introduc'd* by the Prolocutor's being put into the President's Commission to Prorogue. This oblig'd him to *pronounce* the Continuation in the Upper House, at least to bear a part in it; and coming from thence to give *notice* to the Lower, the Actuary's use of the *ordinary* Style *Intimavit* would not have been so consistent with the meaning thereof in Convocation Language. But while he considered him not only as *Prolocutor*, but as *Commissary* to the President, it was natural to change *Intimavit*, a *Ministerial* word, into terms that might better express the *Authority* he then had as *Commissary* to his *Grace*.

To this, I will add a short but clear reply to another Suggestion why the Lower Clergy are not comprehended in the terms of the Archbishop's Continuations: It is, that in Parliament the Adjournments of the House of Peers are enter'd *Dominus Cancellarius continuavit prasens Parliamentum*; and yet the Act of the Chancelour Adjourns the Lords only.

The Phrase in Parliament Dom. Canc. Contin. prasens Parl. no argument for the Lower House.

See the Right of the A. Bishop, P. 43, 44.

But the distinctions in this Case between the two Houses of Parliament and Convocation, are too remarkable to leave room for such a Parallel.

1. There is no original Subordination between the constituent Members of the two Houses of Parliament, nor any Relation but what arises purely from the Usage and Constitution of the Kingdom: But in the two Houses of Convocation (as the Bishops make the Upper, and Presbyters the Lower) a Subordination is established in the Lower by Apostolical Institution, and (in Conformity thereto) by the Constitution of this National Church: And so, every Step made by Presbyters towards a co-ordinate or independent Power is a proportionable Deviation in the constitution of our Church, from the pattern of the purest Ages.

For, 2. The Adjournment of the House of Peers is pronounc'd by one who has no Authority over the Commons, nor any concern even among the Lords, besides that of Moderating, except he be a Peer of the Realm, and in Right of his Peerage have a Title to Vote, &c.

But in Convocation, the Continuation is pronounc'd by the Metropolitan of the whole Province, and the President of the whole Convocation; who advising with his Brethren the Bishops, directs the business of Convocation, and is at the head of Proceedings in both Houses, nay,

Y

(which

(which is more) has a final *Negative* upon them, and by his Concurrence gives the *Sanction* to their Acts, in all matters to the framing and Promulging whereof the Royal *License* and *Authority* are not necessary in Law. 3. That Act of the Lord Chancellor in the House of Peers is plainly *Ministerial*, or the effect of an immediate direction from the House; but his Grace's in Convocation is *Authoritative* (*Nos Continuamus*) in virtue of a Power belonging to him as President of the *whole Body*. 4. The *terms* of the two *Continuations* or *Adjournments* are widely Different. In the House of Lords it is the *præsens Parliamentum* which the Lord Chancellor Adjourns by word of Mouth; and it is no extraordinary thing to find the Word *Parliamentum* signifying *one House*, when the standing Clerk thereof is Stil'd *Clericus Parliamentorum*. But the Archbishop in a formal Instrument Continues *præsentem sacram Synodum sive Convocationem Prælatorum & Cleri Cantuariensis Provinciae*, where the Parties thereby Continued (the *Bishops* and *Clergy*) are directly express'd; nor is the Register of the *Upper House* (tho' acting by a Deputy in the *Lower* also) ever term'd *Registrarius Convocationum*, or the word *Convocatio* (much less *Convocatio Prælatorum & Cleri*) ever apply'd to *one House* Separately. 5. Tho' those Expressions were us'd on any other occasions (which they are not) to signify the *Upper House* only; yet the known *Effect* they have always had in this Case of Continuation, would necessarily extend them to the *Lower* as well as *Upper House*. For whereas the Adjournment in the House of Lords is never notified to the Commons (who equally govern
their

their own *times* of meeting and sitting) and so no *Concurrence* as to time appears in the Sessions of the two Houses of *Parliament*; In *Convocation*, the Lower House has express and authentick *Notice* of the Act in the Upper, and so the Clergy (*according* to all the concurrent Books of the two Houses) have ever met again at the *time* and *place* specifi'd in the Act above.

I know no way to determin the *Strict* and *Legal* meaning of Words in any Case, but by the known and ordinary *acceptation* of them in general, and the *effect* or *operation* they have, and ever had, in particular Cases that may fall under my Consideration. In this therefore, I refer my self to the Judgment of any *impartial* Man: Suppose, 'That by our Constitution the House of Commons in their Proceedings were bound to *receive* and *follow* the directions of the Peers; 'That both these Houses sat and acted under one common President, the L. *Chancellor* or *Keeper*; 'That all the Adjournments were solemnly pronounc'd by him in his own Name, and in Terms directly expressing the *whole* Parliament, nay specifying the *Lords* and *Commons*; 'That an *Authentick* Notice hereof were immediately *transmitted* to the House of Commons; 'That in fact, according to all the *contemporary* Journals, it appear'd that the Adjournments Below had been to the same *Day*, *Hour*, and *Place*, with those Above: Under these Circumstances, I say (for in *Convocation* this is the Case) could it be a Doubt with any *unprejudic'd* Man, Whether that Constant Adjournment of the Commons from and to the same Time with the Lords could spring from any Cause, but the sending down a *Constant* Notice of the Adjournment Above,

and a perpetual Perswasion among the Commons that they were *Included* in that Adjournment, and absolutely *determin'd* by it.

The necessity of Insisting upon it, that the L. Clergy are Included in the Continuation Above. As therefore this concurrence of Sessions in the Upper and Lower House, is an undeniable proof that *Authentick Notice* of the President's Act has been ever conveyed to the Inferior Clergy; so the *form* of that Continuation in the Schedule and Journals, proves the *whole* Convocation to have been always *Included* in the Act. And whoever reflects upon the *Consequences* of their *not* being Included, will agree with me, that 'tis highly necessary his Grace should *insist* on it at this Juncture, when the terms of the Schedule have been so publickly pretended to comprehend the *Upper House* only, and the Intimation is reduc'd to a bare Notice of the *Day and Hour* to which their Lordships have Adjourn'd themselves, without any *Authority* that shall bind or affect the Inferior Clergy. Add to this, The asking the expresse *Consent* of the House, and, The Intimating out of a *written Paper* of their own; both of em without President, and both Intended for a more open and publick Declaration that

A separate Power of Continuing in the L. House, opens a way to perpetual divisions of the Synod.

it is an Act of their own, upon an *Inherent Power* in the House. A Principle, evidently introducing a *Separation* of the Synod, both as to *Bishops* and *Clergy*, and of the *Clergy* among themselves, when Discontents happen to arise among the Presbyters, or Designs against Episcopacy shall be set a foot. For if they be not *Included* in the Continuation Above, it is wholly at their own *Pleasure* whether they will attend at the *next meeting* of their Lordships: The President can have no right in Law to *oblige* them to attend, or to punish them for *non attendance*, which
(upon

upon that Supposition of their Adjourning *themselves*) is no Disobedience to any Command of his Grace, or Contempt of *His* Authority. The *present* Presbyters of our Church may probably be content to observe their Lordships Days. But I think Wise Men, in the Settlement of all Constitutions, are wont to look a little beyond the *present* time : And should the Inferior Clergy of the next Age, be dispos'd to take all Advantages which these Principles of their Predecessors (supposing them to be now establish'd) would give, I see not what Fence the Church or Bishops will have against a Presbyterian Assembly.

The same Principle opens a ready way to Divisions among the Inferior Clergy themselves : Suppose (for the purpose) that any number of the Lower-house Members should *dislike* the Proceedings, and *refuse* to attend in pursuance of the separate Adjournment of the Majority ; neither the House, nor the Prolocutor have a Right in Law Temporal or Ecclesiastical to oblige them to it. " The Effect whereof (as hath been *Reflett. on* " observ'd elsewhere) is a *Session*, under the *Exped. p.* " Name of a Synodical-Meeting, protested a-^{10.} " gainst by the Archbishop, Bishops, and any " number of the Inferior Clergy under the Ma- " jority ; and, which is yet worse, no Provision " made by the Laws, either of Church or State, " to re-unite even the Clergy themselves. The " Archbishop, who *Summons* the Clergy, hath " also a Right to *enforce* their Attendance ac- " cording to the Continuations that shall be " made in the Upper-house ; which is a cohe- " rent Scheme of Government, and will perpetually secure the *Unity* of the Synod. The " Presbyterian

" *Presbyterian Assemblies* also are at least *thus*
 " *far* regular, that the Assembly which Ad-
 " journs, is *suppos'd* by them to have a Power
 " of proceeding to *Censures* in case of non-at-
 " tendance. But the present Claim of separate
 " Adjournments made by *Episcopal* Divines un-
 " der the Perswasion of a *Want* of Power to en-
 " force Attendance, is (in my Apprehension) a
 " very inconsistent Scheme, and has a direct
 " Tendency to perpetual Distractions and Divi-
 " sions, both between the Bishops and their Cler-
 " gy, and among the Clergy themselves.

A separate
 Power
 takes away
 all the
 Means of
 Re-uniting
 the Synod.

I will add, That if this Principle (I mean a
 Right in the Clergy to Adjourn, tho' they have
 no Power to *enforce* Attendance) were true, it
 would not only *break* the *Union* of the Synod,
 but take away all the means of *re-uniting* it.
 The President has the Power of *Censures*, but
 he cannot inflict them for Non-attendance, upon
 Persons not enjoind upon *his* Authority to at-
 tend: The Lower-house by this Principle are
 suppos'd to have the Right of *enjoining* their
 Members to attend, but then they have no Au-
 thority in case of Non-attendance to *censure* and
punish. This Scheme therefore is a very unwor-
 thy Reflection upon the *Wisdom* of our Consti-
 tution: It supposes a *Power* lodg'd in the Go-
 vernours of our Church over the Inferior Mem-
 bers thereof, for the Preservation of Peace and
 Union; and yet that the Inferior Members are
exempted from that Power: It supposes also an
 easy way left open for factious Spirits to destroy
 the *Union*, and by degrees the Being, of our *E-*
piscopal Church, without any Provision made to
 repair the Breach, and restore that Union: That
 is, it makes our Constitution an *incoherent* and
ineffectual

ineffectual Scheme of Government ; below the Wisdom even of *Human Policy*, and much more unbecoming the Dignity of an *Apostolical Institution*.

These Principles, you observe, make all Attendance, whether on his *Grace's Days* or their *own*, a mere *voluntary Act* of every particular Member of the Lower-house ; there being no *Coercive Power* to reach or censure them for Non-attendance. The Majority in the last and present Convocations have not yet *exerted* the Right which their Principles would give, of denying Attendance when the *Upper-house* met ; but they have held several *INTERMEDIATE*

SESSIONS without their Metropolitan and Bishops ; a short State whereof I will give the Reader out of a late *Letter* to the Author of the *Expedient propos'd* : “ You say, (p. 15. c. 2.) that you have *Precedents* for meeting on *Intermediate Days*, and threaten to exert that Power, except the *Upper-house* will submit to your Method of Continuing. But is it a fair part in you, to leave your Reader to imagine, that such Meetings, as a House, are warranted by a *Number* of *unexceptionable* *Precedents*, when you know in your Conscience that no more than *two* can be fairly pretended, and that the Invalidity of these two has been shown at large. The *first*, that of *May 9. 1640.* (as you very well know) hapn'd at a time when neither Bishops nor Clergy were sure of their being a legal Convocation, and will equally justify the Clergy's Adjourning to a Day *beyond* the Appointment of the *Upper-house* ; which yet is a Practice disown'd by the Advocates for *Intermediate Sessions*. ”

Intermediate Sessions a great Irregularity, and Mischievous to our Church.

Reflett. on Exped. p. 11.

ons. When the *second* Adjournment of this kind hapn'd, the Archbishop was in Custody, and the Bishops (justly Apprehensive of Danger amidst the popular prejudices of those times against their Order) could not think it safe to come together, nor had they met in Convocation some Weeks before. These, together with the want of Authority in the Minutes, and some other Exceptions, have been urg'd so largely already, that I am asham'd to see one (who could not but know all this) insisting upon them, without any attempt to remove the Objections; and also referring to these two in such general terms as may lead the Reader into a Belief of many more.

"There is another Objection (and that a very material one) equally concluding against these two Precedents, *viz.* That no *Business* appears to have been done on either of the Days to which the Adjournments were made, when yet the *Preparation for business* is the only pretence upon which the Claim of Intermediate Days is advanc'd. If therefore Men were serious in their Enquiries about the Usage of former Times, in order to make it a Rule to their present Practice; they would consider how the Sessions of the Lower House have stood with regard to those of the Upper, at times when business of moment was depending in Convocation: Because then, we may suppose, the Clergy would have *Exerted* this Power, if they had thought themselves possess'd of it.

"New

“ Now, this Notice is not to be had, but
 “ from *concurrent* Journals of the two Houses; The Clergy of former times did not think of Intermediate Sessions:
 “ the first of which are in the Years 1586, and
 “ 1588. when we have no more than *Extracts*
 “ out of the Registers of the Upper House;
 “ but all the Sessions that are express’d (above
 “ 20 in Number) concur exactly with those of
 “ the Lower House, without any Appearance of
 “ *Intermediate* Meetings.

“ The next *concurrent* Books that remain, are
 “ those in the two Convocations of 1640, the
 “ Minutes whereof express the Days of several
 “ of the Sessions, and they all appear to answer
 “ the Continuations of the Upper House; ex-
 “ cept the *two* we just now mention’d, which
 “ are so fully and particularly accounted for else-
 “ where.

“ The Compilers of the late Narrative (p. 37.)
 “ speaking of the two Instances in 1640, add,
 “ *We may fairly presume, we might have found*
 “ *more in other Convocations, if the Books of*
 “ *both Houses had been extant to have been com-*
 “ *pared.* Two Instances, so exceptionable and
 “ under such singular Circumstances, could be
 “ no *fair ground* for such a presumption: But
 “ if *Intermediate* Meetings were any where to
 “ be expected, no time so likely as in the Con-
 “ vocation which begun May the 8th, 1661. the
 “ first after the Restoration: For in that, the
 “ whole *Common Prayer* was Revis’d, several
 “ *Prayers* and *Services* added, many *Canons* and
 “ *Constitutions* compil’d, and other Matters of
 “ great Importance transacted. In all this work;
 “ the Clergy under Direction of the A.B. and Bps,
 “ had their constant share, as appears distinctly
 “ from the Original Register of the Upper
 “ House

" House (from May 8. 1661, to Sept. 19. 1666.)
 " which has been all along thought to be lost
 " but by great Providence was lately retriev'd.
 " The Constant Style of Continuations in
 " this Register, is the same with that of 1640.--
 " *Dominus, &c. de & cum Consensu Confratrum*
 " *suorum, Continuavit & Prorogavit hujusmodi*
 " *Convocationem sive sacram Synodum Provinci-*
 " *alem.* The Book contains above 140 Sessions;
 " and all that while the Sessions of the Lower
 " House are distinctly set down in Mr. Mundy's
 " Minutes. I have made an exact Comparison
 " of them, and find not the least footstep of an
 " *Intermediate Meeting*; though both the *Na-*
 " *ture* and the Length of the business before
 " them, would have prompted them at that
 " time, more than any other, to hold *Interme-*
 " *diate Sessions*, had they dreamt of such an *In-*
 " *herent Power* of Adjourning as some of their
 " Successors have lately taken up.

And yet in the last Convocation, several of
 these *Intermediate Sessions* were held by the Ma-
 jority of the Lower House, with all the appea-
 rance of *Synodical Meetings*. Suppose then,
 that the Members of some *Presbyterian Assem-*
bly, taking the Advantage of one of these Ses-
 sions, had enter'd their Claim of *Alliance* to that
 Majority of the Lower House, as *meeting, sit-*
ting, acting, and *departing*, upon the sole Au-
 thority of Presbyters, without any Appearance
 of a Superiour Order; I fear, they would hard-
 ly have been *driven* from their Claim, except
 the Lower House Members could have pleaded
 that they met there by the *Authority*, or at least
 the *Permission* of their Metropolitan and Bi-
 shops; and yet these their Ecclesiastical Super-
 riors

riors (it is well known) had publickly declar'd against such *Intermediate Sessions*, and against all the business transacted in them, as *Unsynodical*.

Tho' therefore an *Inherent Power* of Continuing, with a Right thereupon to hold *Intermediate Sessions*, had some countenance from the Practice of *former* Convocations, as we see they have none; yet it could be no decent part in *Episcopal Divines* to contend with all this Zeal for Privileges so favourable to the measures of *Presbytery*. And I hope, before the Majority of the present Lower House resume these Claims and return to the like Practices, they will consider how little warrant they have from *antecedent* Practice, and how mischievous they are in the *Consequences* to our *Episcopal* Constitution.

Observations touching the RIGHT to determine Controverted Elections.

Instances of Controverted Elections occurring in the remaining Acts.
An. 1586. p. 140. App.

THE first instances we find of determining Elections in Convocation, are those two set down at large in the Journal of 1586, *Sess.* 3, 4. which need not therefore be transcrib'd in this Place. *Anno 1586.* The Elections of both the Proctors for the Diocese of *Norwich* hapned to be controverted; and being also *different* Choices in the two Archdeaconries, they were thereupon two *different* Cases. One was heard and determin'd by the *Archbishop* in the *Upper House*, the other by the *Prolocutor* in the *Lower*.

1. As to that in the *Lower House*, we find (*Sess.* 3.) that the *Prolocutor ad veritatem in hac parte inquirendam juramento oneravit quosdam, &c. de modo observato antehac in hujusmodi Electione, &c. Qui sic jurati dixerunt & deposuerunt prout sequitur, &c.* — Then the *Prolocutor assignavit Magistro Knewstubbs ad proponendum causas quare Mr. D. Dey, non admitteretur in Cætum hujus Domus in proxim.* — *Sess.* 4. *D. Dey* desires to be admitted, and his Competitor showing no reasonable Cause why he should not, *Dominus Prolocutor decrevit dictum Magistrum Dey recipiendum fore in Procuratorem ejusdem Cleri & in Cætum hujus Domus, eumque sic recepit.*

2. Concern-

2. Concerning the other Election determin'd in the ~~Upper House~~, the ~~Index~~ (the only account that remains of their Lordships proceedings at that time) has this Note under the Session in which the Prolocutor gave Judgment. Nov. 11. *Decided against Mr. Thorowgood for Mr. West in a Cause of Election to be Clerks in Convocation.* And we find in the Lower House Journal of the same Day, that the Prolocutor (having notice by the Register of his Grace's Sentence for Mr. West against Mr Thorowgood) intimavit hæc omnibus presentibus, & monuit eos ad recipiendum eundem Magistrum West in Catum hujus Domus.

Anno 1640. Nov. 11. The Minutes of the Lower House give this Account. *Eodem die orta fuit Contentio sive Disputatio quoad Electionem Procuratorum Cleri pro Diaces. Lincoln, & lecta prius ——— ad audiend. eandem elegerunt tres Decanos, tres Procuratores pro Capitulis, & tres Procuratores pro Diaces. [all nam'd;] quibus commisserunt ad conveniend. prox. die 12 Nov. post meridiem in ditto loco inter horas secundam & quartam, &c. — The Committee met accordingly, & post maturam deliberationem, &c. ordinavit ut sequitur, Whether Proctors are lawful in the choice of Proctors; and if Lawful, Whether it doth avail non designatis personis; and for ought yet appears to the Committee, the Custom observ'd in the Diocese of Lincoln hath been, that Proxies have prevail'd. It is desir'd on both sides, that their Counsel may be heard in Law.* An. 1640.

The next Session, Nov. 14. The Upper House Register says, *Reverendissimus accersiri fecit Dominum Prolocutorem & sex alios Domus Inferio-*

ris. Quibus comparentibus, Reverendissima eis significavit, quod ipse audivit esse quasdam dissensiones inter quosdam Clericos citra eorum Electiones; & voluit eas ut ipsi & alii dictæ Domus eandem examinarent & determinarent juxta Juris Exigentiam & Consuetudines cujuslibet Diæcesos, donec aliter ordinatum fuerit. Whereupon they proceeded the same day to the business recommended by his Grace; and the *Examinations* and final *Decisions* ran in the Name of the House, as *Commission'd* for those purposes. — Nov. 14. Domini continuarunt ulteriorem determinationem hujus materie — & statuerunt, ut partes hinc inde introducerent eorum Consilium — Nov. 21. Coram Dominis Prælati & Cleris Domus Inferioris Convocat. &c. comparuerunt Mri. Hirst, Tuckney, & Palmer, &c. in quorum præsentia (post Suffragia Domus in ea parte fact.) declararunt & ordinarunt, &c. — Nov. 25. Domini consenserunt, eò quod Mr. Porter fuit absens, se nolle finem huic Negotio imponere hoc die, sed declararunt se velle finale suum decretum interponere die Sabbati prox. — Domini unanimi consensu æquum censuerunt, rebus sic stantibus, nihil statuendum aut agendum fore debere, &c. Nov. 29. Suffragiis in ea parte promulgatis (nempe 29. pro Mr. Thorowgood & 16 pro Mro. Porter, &c.) Dominus Prolocutor de & cum Consensu, &c. pronunciavit pro Electione dicti Magistri Thorowgood, & revocavit, &c. — Dec. 2. Dominus de & cum consensu, &c. pronunciavit pro Electione Doctoris Sanderson & Hirst, &c. & admisit, &c. — Jan. 27. Upon a Petition for a Review of the Election for the Diocese of Lincoln, habitâ prius maturâ consideratione Contentorum in petitione mentionat.

Domini

Domini Prælati dictas respectivè partes interrogarunt, &c. [Whether they would finally acquiesce in the Sentence upon that Review?] They agree to acquiesce; Unde Domini ex causis & promissis prædict. decreverunt pro Revisione & Re-examinatione dicti Negotii, & ad interponend. finale Judicium in præx. &c. —

Feb. 2. After this Review, dicta Domus ad eorum finale decretum processit; and according to the Majority upon a Division then made, Dominus Prolocutor ratificavit & confirmavit Electionem D. Sanderfon & Hirst.

Anno 1689. Sess. 11. In the Upper-house Book: Comparuit personaliter Johannes Cawley Sacræ Theologiæ Professor, Archidiaconus (ut asseruit) Archidiaconatus Lincoln, & introduxit & exhibuit supplicem Libellum sive Petitionem in Scriptis conceptam; in quâ querelatus est, quod licet se fuisse per 23 Annos ac in presenti esse Archidiaconum Archidiaconatus Lincoln, ac per Episcopos Lincoln pro tempore Existentem tanquam Archidiaconum Lincoln citat. ad comparend. in Convocationibus: Præmissis tamen non obstantibus, Reverendus Pater ac Dominus Dominus Thomas, Permissione Divinâ Lincoln, Episcopus, quendam Thomam Oldys in Legibus Baccalaureum tanquam Archidiaconum Archidiaconatus Lincoln, citasse ad comparend. in hac Convocatione sive Sacrà Synodo Provinciali in præjudicium Juris & Tituli sui & in hac Convocatione nunc sedere. Quare humiliter petit Jus & Jusitiam sibi in hac parte fieri & ministrari. Unde Reverendus Pater Præses antedictus, cum consensu Confratrum suorum Episcoporum prædict. hanc Petitionem recepit & legi mandavit: Quâ lectâ, dictus Reverendus Pater Præses antedictus mihi in

Anno 1689.

Observations touching the Right

in mandatis dedit, ad tradend^o. Copiam ejusdem Petitionis præfato Magistro Oldys, & ad eum informand^o. quod compareat die Veneris prox. cum Responsis suis dictæ Petitioni in Scriptis concept^o. & decrevit ut dictus Doctor Cawley tunc compareat.

Sess. 12. Venerabilis Vir, Thomas Oldys Clericus, Archidiaconus (ut asseruit) Archidiaconatus Lincoln^o. comparuit, & dedit responsum suum in Scriptis concept^o. Petitioni sive supplici Libello aliàs contra eum ultimâ Sessione hujus Convocationis ex parte Johannis Cawley Sacre Theo. Profess. asseren se esse Archidiaconum Lincoln^o. exhibit^o. Quod responsum, de mandato dicti Reverendi Patris Præsidis antedicti, fuit per me Notarium Publicum antedictum publicè lectum: Quo lecto, & dicto Magistro Oldys præfati dismisso, dictus Reverendus Pater Præsides antedictus & ceteri Episcopi super petitione & responsis prædict. maturè deliberarunt, & postea decreverunt dictos Doctorem Cawley & Magistrum Oldys intromittend^o. fore. Quibus comparentibus, dictus Reverendus Pater Præsides antedictus, cum Consensu Confratrum suorum Episcoporum prædict. cō quod eis constat duas Sententias Definitivas fuisse contra dictum Doctorem Cawley in eodem latis, unam in almâ Curia Cant. de Arcubus, & alteram in supremâ Curia Delegatorum; & quod Commissio pro Revisione dicti negotij fuit per Serenissimos in Christo Principes ac Dominos nostros Dominos Willelmum & Mariam Dei Gratiâ Angliæ, Scotiæ, Franciæ & Hiberniæ Regem & Reginam fidei Defensores, &c. ad petitionem dicti Doctoris Cawley concessa, & quod idem negotium per Judices Revisionis non

est adhuc decisum, dimisit dictum Magistrum Olyds ab omni ulteriori Judicii observatione.

The foregoing Instances are all the Light we have from our Books, touching the Determination of *Controverted Elections*: And I observe from them,

1. That it is no part of the Question, Whether the Metropolitan at the Head of his Suffragan-Bishops, have a Right to receive Petitions touching controverted Elections? or, Whether he may proceed to the *Examination* and *final Decision* of them in the Upper-house? The *Exercise* of all these appears evidently in the Instances of 1689, where we see a Petition is *offer'd, receiv'd* and *consider'd*; and of 1586, where *Sentence* is actually given by his Grace. And what can be more reasonable, than that the Archbishop who by his Mandate orders the *Election* of Members, and has the *Returns* of all Elections made ultimately to him; who also at the Opening, appoints his Commissioners to *examin* those Returns, and during the Convocation, presides over the *Lower* as well as the *Upper House*; what (I say) can be more natural than that he should have a *direct* and *immediate* Right to take Cognizance how far such *Elections*, with the *Returns* thereupon, are duly and regularly made? But I could never learn how the Lower-house could have a Power to *Interpose* about Returns (whether made *unduly* or not *at all*) otherwise than by Petitioning the Metropolitan, upon some extraordinary Occasion, that he will please to *demand* or *examin* them, as of right to be made to him, and none else. But in the Acts of the last Convocation, *Anno*

No question, whether the Archbishop have a Right to determine Elections.

The Lower-
house have
no Right to
intermeddle
in Returns.

1700. Sess. 4. I find an Instance of the Lower-house's taking Cognizance of a Return, and that in a very singular manner: The Words are these, *Propositum fuit per Guil. Bincks S. T. P. &c. ad effectum sequen. That whereas there hath been no Return made from the Chapter of Litchfield of a Member to serve for them in this present Convocation; and whereas the said William Bincks being a Member of that Chapter, inform'd this House, that the Defect of such Return was occasion'd by a Dispute that hapn'd before the said Chapter, concerning the Election of a Proctor to represent them: That therefore this House would order a Letter to be sent, sign'd by Mr. Prolocutor in the name of this Lower-house, to the Dean and Chapter of the said Cathedral Church of Litchfield, desiring them forthwith to transmit the whole Proceedings concerning the said Election, under their common Seal, to this House: Cui consensum fuit.*

This so Solemnly pass'd and enter'd thus circumstantially, may be a temptation to Presbyters (if the same Spirit should hereafter arise) to take the cognizance of Returns, and thereby the Jurisdiction over the Members, out of the hands of the Metropolitan. But care (I hope) will be taken to leave some publick testimony of the offence it gave to his Grace and the Bishops, whose Rights were jointly invaded by this Act of the Lower House. For it is very plain, both in Law, Reason, and Practice, that the Enquiry after such a Return, ought to have gone by the same Course or Chanel, through which the Return itself (if made) was to have pass'd, viz. from the Archbishop to the Bishop, and from the Bishop to the Dean.

2. It is no part of the Dispute, Whether the Metropolitan may enjoyn the Inferior Clergy to *Examin* and *Determin* Controverted Elections? His Grace's Power to *require* their Assistance, and their *Obligation* to pursue his Directions, are both sufficiently express'd in that remarkable Instance from the second Convocation of 1640.

3. Nor can it be a question, Whether his Grace, having Commission'd the Prolocutor or Lower House, to examin any doubtful Election, may not take it out of their hands into his own immediate Cognizance, if he see Cause. This (I think) is a Rule in most Commissions; and an Express *Reservation* to that purpose is made in this of 1640, empowering them to proceed *donec aliter ordinatum fuerit*.

Thus, the *Archbishop's* Right to determine Controversies about Elections, is *uncontested*: But the Question is, Whether the Right be *solely* in his Grace, exclusive of the Inferior Clergy, or, Whether the Lower House have not a *concurrent* Right?

In behalf of a *Concurrent Right*, two Instances are pleaded.

I. That of 1586. *Sess. 3. 4.* Where we find the Prolocutor examining Witnesses upon Oath, appointing the Parties a time of Appearance, and then giving the final Sentence or Judgment. But we must observe, as to the Point before us,

The Arguments for a concurrent Right in the Lower-house, consider'd.

1. That the Upper-House-Books of that time are not in being; nor can it possibly be known whether he had not such a Commission from his Grace, as we are sure was given afterwards to the Prolocutor and Lower House in

Ann. 1586

1840. Two Elections of the *same* Diocese were determin'd the *same* day, one by the Archbishop, the other by the Prolocutor. And I think it is not likely that one of these Appellants should make *original* Application to the *Upper*, and the other to the *Lower* House; but much more probable, that the Petition in both Cases was first offer'd to his Grace, and that he divided the Work of *Examining* and *Determining*, between *himself* in the *Upper*, and the *Prolocutor* in the *Lower* House.

Peer of
the Lower
house, p. 7.
c. 2.

p. 34.

2. The Prolocutor (we see) examines the Witnesses *upon Oath*; and the very Writer, who in all other respects is the main Advocate for the *Independence* of the *Lower* House, solves the Prolocutor's giving an Oath, by an Authority *deriv'd* immediately from the Archbishop. The Words are these: *The Prolocutor was on that Day put into the Archbishop's Commission for Proroguing the Upper House, in order (I suppose) to empower him to give Oaths, as he did at the trial of an Election that day below.* I know the *Narrative* says, in the Name of the Majority, *That they are well assur'd that the Prolocutor has this Power by Virtue of his Office.* This is roundly spoken; but to make *others* also assur'd, it had been kind to offer some Reasons why the Prolocutor of the *Spiritual Commons* is in this Particular above the Speaker of the *Commons Temporal*? And such Reasons had been the more *necessary*, when they took upon them to dissent from the express Judgment of a Writer, who understands the Value of his own Opinions too well to be easy under Contradiction.

But

But leaving that Point to be disputed between this Author and the Majority of the House; the Circumstance upon which I chiefly insist in this Matter, is,

3. That those of the Lower Clergy contend not for this Power of determining Elections, as lodg'd in the *Prolocutor*, but in their *House*; and not the least Mention is made of the *House* or any *Member* of it in determining this Election of 1586. but the Proceeding and Sentence run solely in the name of the *Prolocutor*. The Question therefore is, By whose Authority was that Sentence given? It must be either from his *Grace*, or from the *House*. The Journal, tho' very exact and particular, makes not the least mention of the *House's* interposing; which Silence is the stronger Argument that they had no Right to interpose (the Matter in all appearance being committed to the *Prolocutor* alone) because in the other Instances of 1640. when the *Prolocutor* and Lower Clergy were all equally concern'd, the whole Proceeding was carry'd on in the name of the House; *Coram Dominis Prælati & Cleris comparuerunt; Domini, and Domini Prælati interrogârunt, determinationem continuârunt — consenserunt, censuerunt rebus sic stantibus nihil statuendum, &c.* And when they came to Sentence, *Domus ad eorum finale decretum processit, and, Post Suffragia Domûs in câ parte fact. declararunt & ordinarunt — Suffragiis in câ parte promulgatis, Dominus Prolocutor, de & cum consensu, &c. pronunciavit.*

It was not the House, but the Prolocutor, who determin'd the Election.

Considering how distinctly the *Minutes* of 1640. express the part which the House had in these Proceedings, I leave it to the Opinion of every

every Reader, whether the *complete Journal* of 1586. would not have left us some *Foot-steps* at least of the Houses's Concern at that time, either in the Course of the Proceeding, or at least the *final Sentence*, if the Cause had not been committed to the *sole* Examination and Decision of the Prolocutor. And if the Power was solely in *him*, it can be no Question, whether he deriv'd from the *House* (who were present, and might as well have proceeded by their own *immediate* Authority, if any such had been lodg'd in them) or from the *Archbishop*, who could not be there in *Person*, whose *Absence* the Prolocutor supplies in all other Respects, and who was also hearing a like Cause in the *Upper-house* at the same time.

*The Instance
of 1640.
consider'd.*

II. The other Instance of a Right in the Lower-house to take Cognizance of Elections, concurrent with that of his Grace, is in some respects more full to their purpose than the foregoing Testimony. In the Year 1640. Nov. 11. the House appointed a Committee upon a controverted Election in *Lincoln-Diocese*; which Committee met Nov. 12. and yet the Archbishop appears not to have interpos'd till Nov. 14. nay, the *Preface* to the Order he then gave, shews that to have been the *first time* of his interposing, *Reverendissimus eis significavit, quòd ipse audivit esse quasdam discrepantias, &c.* As far then as a *single* Instance can affect the Rights of a Judicial Court, and alter the natural Course of legal Proceedings, and establish a concurrent Jurisdiction; so far is this Instance before us a Testimony of the Lower-house's Right to *enquire* into the Circumstances of doubtful Elections.

I say, to *Enquire* ; for this Precedent goes no farther than an Enquiry about the *Custom* of the Diocese in their Election of Proctors ; and a Right founded upon a *single* Precedent, can never be extended *beyond* that Precedent. It proceeds not to a formal Examination of Witnesses upon Oath, and much less to a *final Judgement*. These, and all the other marks of a *Judicial* Proceeding, commence upon his Grace's *Special Order* to the Prolocutor and House, *ut examinent & determinent juxta Juris Exigentiam, & Consuetudines cujuslibet Dioceseos, donec aliter ordinatum fuerit.*

From which Order (I think) these three things are fairly infer'd, 1. That if Archbishop *Laud* had thought the Lower-house to have an inherent Power of *Examining* and *Determining* Judicially, he would not have interpos'd in that Matter, after they were actually *enter'd* upon their Enquiries. 2. That if the Clergy themselves had *believ'd* such a Power to be lodg'd in their House, they would have *declar'd* against that Interposition, as an Invasion of their own *inherent* Authority. 3. That in Virtue of the Reservation (*donec aliter ordinatum fuerit*) it still remain'd in his Grace's Power to *revoke* that Order, and either to put a stop to the Proceeding, or to remove it (as he should see cause) to his own immediate Cognizance.

III. *An Additional Account of the Substitution of a Prolocutor.*

IN explaining the *Election* and *Office* of a Prolocutor (*Chap. IV.*) I took occasion to consider how far he had a Right to make a *Substitution* in cases of *Sickness* or *Business*. For tho' the Speaker of the *House of Commons*, as executing that Office upon a *Royal Confirmation*, never pretended to depute another; tho' also the Confirmation of the *Archbishop* and *Bishops* be no less necessary, in order to execute the Office of a Prolocutor; and tho' (lastly) it appear that *Applications* for leave to substitute in those Cases have been actually made to the Upper-house; yet against all these it had been confidently affirm'd, that the *Deputations* of this kind might be made *without* the Archbishop's Consent or *Privy*; and the *manner* of making them is farther urg'd, to give the Prolocutor some such *Figure* in the Lower-house, as the Archbishop is known to have in the Upper.

Power of the Lower-house, p. 9. c. 1.

The late Substitution in 1701.

p. 66, 67.

V. Sup. p. 76.

That Writer had conceal'd all the Instances of *Application for Leave* made to the President and Bishops; but he was afterwards put in mind of them by the Author of the *Right of the Archbishop*. Very lately, a Substitution being made by the Prolocutor upon the Authority of a Precedent (already consider'd) in the Year 1640, the Person so deputed was actually put into the Chair,

Chair, without the *Approbation* or *Knowledge* of the *Archbishop* and *Bishops*.

To justify the Proceedings of the Majority in this and some other Particulars, a Paper came out, markt *Numb. 1.* in the way of a *News-Letter*; and in Truth much of the same Authority, both in the Relation of *Facts*, and the Reasonings upon them, with the *flying Intelligence* of other kinds. Only there is this difference in the Case of our *Ecclesiastical News-Writer* and his Brother *Intelligencers*; their imperfect Representations are usually the Effects of *Ignorance* and *Haste*; but his favours too much of *Partiality* and *Design*.

The Account
of it in a
Paper
markt
Numb. 1:

God knows, it is a sad Omen to our poor Church, that any of her own Ministers can thus triumph in her Misfortunes, and comply with such mean methods to proclaim her Breaches, and make her the publick scorn of her Enemies. For the sake of our Church and Religion, may the Author of these Methods be once brought to such a *Spirit* and *Temper*, as shall at least oblige him to common Decency, or however restrain him from such *open* and *virulent* abuses of his Ecclesiastical Governors. He seems to have overcome the obligations of *Duty*, but may remember that in some former Convocations particular Orders have been made against *Revealing* the Debates, even in *Discourse*, till finisht; and that upon *Penalties*, which he is taking great Pains to Deserve.

Orders
made in
Convocation
against the
Publication
of De-
bates while
depending

Anno 1529. Sess. 3. Reverendissimus monuit omnes sub pena Excommunicationis, ne aliquis revelet extra Domum aliquibus personis cujuscunque Status; nisi inter Semetipsos.

Anno 1529. Sess. 19. Reverendissimus omnes & singulos admonuit ne quicquam revelent de hujusmodi Communicatione.

Anno 1529. Sess. 20. Episcopus London Commissarius, &c. monuit omnes ne quicquam Revelarent ibi dictum vel recitatum, sub penâ Excommunicationis lata Sententia.

Anno 1541. Sess. 8. Accessit Prolocutor cum quibusdam de Electis à Clero, & exposuerunt querelas suas, &c. ubi Reverendissimus præcepit ne quid effutirent de rebus ipsis expositis.

Anno 1557. The Archbishop having explain'd to the Bishops and Clergy the Causes of the Convocation, viz. the Reformation of Abuses in the Church, &c. enjoyns them to consider of proper methods, Et quid sibi videatur, Voluit eos sibi servare.

Anno 1588. Sess. 4. The Prolocutor (having been in the Upper House to receive directions about the Subsidy, which was afterwards consider'd and debated below) monuit omnes presentes ne publicè revelarent tractata & gesta isto die.

Anno 1640. Sess. 5. Apr. 25. Et ulterius, pro meliori Expeditione negotiorum hujus sacre Synodi, idem Reverendissimus, cum consensu & assensu eorundem Confratrum suorum, ordinavit, Quod nullus Episcopus aut aliquis à Clero Copiam Canonis aut partis Canonis proposituri & tractaturi exscribere aut de aliquo hujusmodi Canone foras fabulare præsumpserit, donec hac Convocatione sive Sacra Synodo plenarie & finaliter assensum & sacra Regia Majestate approbat. erit, sub pena Suspensionis cujuscumque à Clero per tres menses, & Synodice monitionis pro quolibet Prelato qui ita peccaverit, prem in Actu Synodico sequen.

quen. continetur, viz. &c. — Dominus Prolocutor venit cum 5 aliis è Domo Inferiori; & eis declaravit istum Actum Synodicum præceden. & voluit eundem Dominum Prolocutorem ad declarand. istum Actum toto Cætui dictæ Domûs. Mox revertēbat, & dixit se & totum Cætum Domûs Inferioris consensum & assensum suos Confessione dicti Actûs Synodici adhibuisse & eundem unanimiter approbasse.

The Convocations in which those strict *Provisions* for Secrecy were made, would without doubt have animadverted severely upon such a shameful Method of sending the *Debates* (I am sorry to say, the *Divisions*) Session by Session, into all parts of the Kingdom. But after a general request to this Writer, that in the *manner* of venting his Resentments, he will at least have a greater regard to the *honour* of our Church; I will consider the *Matter* of his Paper so far as it concerns the *Substitution* of a Prolocutor, and affects the Account I have given of this *Chap. 4.* Point. His *Insincerity* in the other parts of that *p.* Relation has been already laid open; and this about *Substitutions* (as depending upon the *Registers of Convocation*) is the only Head that falls under my Consideration.

In the fourth Chapter (*p. 74.*) I infer a necessity, that the Substitute be *admitted* and *confirm'd* by the Upper House, because without *this*, he is not the Person *agreed on* between the Bishops and Clergy for the mutual conveyance of their Messages; nor can their Lordships *receive* any thing from him as the Sense of the Inferior Clergy, and much less Return their own Pleasure by him. Add to this, that at the *Open-*

Reasons why a Substitute Prolocutor ought to be confirm'd in the Upper House.

ing of Convocation, and in the *middle* upon Death or Promotion, the Clergy cannot proceed to an Election without his Grace's leave; nor was he ever thought to be qualify'd for the Exercise of any *part* of the Office, before *Confirmation*. He blames me for a further observation to the same purpose (Right of the Archbishop, p. 67.) *that neither the Speaker of the House of Commons, nor the House it self have the Power to Substitute a Speaker.* But however I had declar'd all along against inferring an *Independence* of the Lower House from the *Independence* of the Commons, it was (I hope) no *unseasonable* Suggestion to those who so much desire to make the Proceedings in Parliament their Rule, that in this point of *Substitutions* they go *beyond* their Rule, 'Tis true, the Dignitaries of the Lower House have a *personal* Right to be Summon'd, and as such are *capable* of appearing by *Proxie*; but cannot *actually* appear so, without the *consent* and *approbation* of the President. Nor is it at all to the purpose, to talk of the *ordinary* Substitutions of Proxies, unless that Power infer'd an absolute and immediate Right to Substitute a *Prolocutor* or *Speaker*; which he must needs know to be otherwise in the House of Peers, where the Nobility Substitute their *Proxies*, but not a *Speaker*.

See Chap. 3.

Instances of
Substitutions
in Au-
thority of
the Upper
House, de-
fended a-
gainst the
late Paper,
Number 1.

These Considerations from the *Reason* of the thing, and the *Nature* of the Office, are confirm'd (p. 75.) by Instances of *Application* to the Upper House upon the Substitution of a Prolocutor for the Lower. The first, that of Archdeacon *Wolman*, is too *express* to be evaded.

ded. Anno 1533. Sess. 3. in the Upper House Book, *Ibidem Dominus Prolocutor D. Wolman affirmavit se egrotum esse, & petiit ut durante infirmitate ejus, Mr. Fox si vellet adesse, vel Mr. D. Bell exerceret officium suum, & concessum est.* And this instance is made more full and clear by the Additional Remark he brings out of some *other Extracts*, which are yet conceal'd. *Another Extract from the same Register* (says he, p. 8.) *gives this further Account of it.* — “Which done, the Prolocutor being Sick, desired that Mr. Fox, Archdeacon of Leicester, and Mr. Bell Archdeacon of Gloucester, might be Substituted in his Place. *Adcujus Petitionem, dictus Dominus Prasidens, cum consensu Dominorum Episcoporum, & Pralatorum, & Clerici, tunc presentium, licentiavit dictum Ri. Wolmannum abesse pro tempore Infirmitatis sue.*

I know not certainly in whose hands these Extracts are, but must beg leave to think that in the Course of this Controversie we should have heard more of them, had they been to the Advantage of that side of the Cause. And considering that the present Disputes in Convocation have been chiefly owing to the want of Registers, the Proprietor (whoever he be) had an opportunity of showing his affection to truth and unity, by bringing forth these Extracts ere now; in imitation of his Grace the Lord Archbishop, who so freely laid before the two Houses an entire Register he lately retriev'd.

Till it be known in whose hands they are, I must hope for no other light from them in this or any other particular, besides the Citation he has been pleas'd to produce. Supposing it therefore fairly and entirely repeated, the Observations

ons I make upon it are, 1. That the Prolocutor evidently applys himself to his Grace and the Bishops, for *leave* to make the Substitution. 2. That we cannot conceive he would have made this Application, if the Substitution had been *valid* without it; or that he would have been *suffer'd* to make it, had the Lower House thought their own Consent and Authority sufficient. 3. That a Sub-Prolocutor is *regularly* constituted in the same manner as a Prolocutor, *i. e.* by the concurrence and agreement of both Houses; the *formal* Conveyance of the *Authority* belonging to his Grace.

This Writer may refine, as nicely as he pleases, upon the Prolocutor's *dislike* of Archbishop *Crommer*; but 'tis no part of the question, whether Sicknefs was the *real* Cause of his desire to make that Substitution, or only a *pretence* for Absence. Supposing it only a *pretence*, it must be carry'd on in the usual form; and 'tis enough in the present Case, that he actually *ap- ply'd* to the Upper House, and *pleaded* his Indisposition, and had their express *Leave* to Substitute.

2. The next Testimony of Application to their Lordships, is grounded upon a *Memorandum* of a Substitution, enter'd in the end of the Upper House Acts, *Anno* 1554. *which* (as I observe in the foremention'd Chapter) *could no way have come into that Register, but as the Upper House had their share in the Substitution.* Nor does the late Paper offer any thing to invalidate the Authority of this Testimony or my Inference from it, besides a precarious Supposition that it might possibly be taken from the concurrent Lower House Books; when in all the Acts of
that

Vid. supr.
p. 75.

that Convocation, there are no signs that the Extraſter had ever ſeen a Lower Houſe Book of that time; much leſs that he had it then before him, or that omitting all the other Matters, he ſingled out this Subſtitution, as the only thing worthy of his Notice. 'Tis a ſign the Caſe is Deſperate, when *Suppoſitions* ſo very groundleſs are the beſt Defence that an *Artful* and *Evaſive* Writer can find.

3. I produce a third Inſtance from the Minutes of the Lower Houſe in another Convocation of the ſame Year: *Die Jovis, 5^o. Aprilis, Præſidente Epifcopo London, præſentatur prædictus Prolocutor per N. Harpſfield & Jo. Wimbſeley, ubi tractarunt de Eligendis quibuſdam de Clero qui Vice totius Cleri mitterentur Oxoniam ad tractand. cum Domino Cranmero, Domino Ridleyo nuper prætenſo Epifcopo London, & Hugone Latymer, de quibuſdam Articulis Religionem concernentibus; & delecti ſunt D. Welton, Oglethorp, Chedſey, Seton, Cole, Jeſery, Fecknam & Harpſfield, ad effectum prædictum. Et quum prædictus Prolocutor non potuit adeſſe dictæ Convocationi, Subſtituit N. Harpſfield & Johannem Wimbſeleys, conjunctim & diviſim in locò ſue.*

The late Paper urges this inſtance in behalf of the Power of the *Lower Houſe*, becauſe it was *enter'd* in the Acts of that Houſe: When the Writer could not but know, that as oft as the Lower Clergy appear before the Preſident and Biſhops, the buſineſs thereof (particularly at the Preſentation of their Prolocutor) is *enter'd* of Courſe in the *Lower Houſe* Journal as well as that of the *Upper*. And I have given the Acts of the Day *entire* (which for good reaſons he did not think fit to do,) that no doubt may remain

main with the Reader, whether the Presentation of a Prolocutor, the Choice of Persons for the Dispute, and the Substitution immediately made upon the Prolocutor's being nam'd for one, were not all done in the *same* Place; that is, in the *Upper House*.

I take these three Instances to be full for the Power of the Upper House; especially the first, as it is more *circumstantial* than the other two. To these I will add a fourth, which makes not *directly* for either side; but is confidently urg'd by that *Paper* in favour of the Lower House.

Anno 1562. Feb. 24. The Archbishop and Bishops *Surrogatum Prolocutoris (dicto Prolocutore Absente) ad se accersiri jusserunt*. It is not said, that their Lordships sent for the Prolocutor, and that he being absent, his *Surrogate* came up, but that they sent for the *Surrogatus Prolocutoris*; which must imply, that they knew the Prolocutor had made a *Substitution*; and how can we more naturally account for that knowledge, than from the usual *Application* for Leave to do it?

The Arguments for an Independent Power of Substitution in the Lower House, answer'd.

The Arguments *oppos'd* to these Testimonies, arise, 1. from the Want, and 2. from the *silence* of the Upper House Registers, at times when the Journals or Minutes of the Lower House make mention of a *Sub-Prolocutor*. But none of the Instances under either head speak of a Substitution, as made by the Prolocutor (one excepted, which is already accounted for, *p. 75.*) and they did not therefore properly come into that Account of the *Election* and *Office* of a Prolocutor: Nor are they at all serviceable to the Power of the *Lower House*, unless they mention'd the *House* as the *sole* Authors of the several Substitutions.

stitutions. For where the Registers of the Upper House are wanting, 'tis an *equal* doubt whether they did or did not *Apply* to their Lordships; and I hope, in some other Cases, the bare *silence* or *omission* of the Books of the Upper House (of the Debates whereof such Substitutions are not strictly a part) will not be set against *positive* Testimonies proving an *actual Application* for Leave. A bare *Omission* may be easily accounted for, upon the *Negligence* or *Forgetfulness* of a Register, or from his opinion that this matter (as a thing of *Form*) was not necessary to be inserted in the Acts; or lastly (which was the Case of three of these Instances) they might not happen on days of *business*, and so nothing was enter'd besides the *Continuation* in Form. By all, or any of these Suppositions, the *Confirmation* of a Sub-Prolocutor by the President and Bishops, becomes consistent with the *Silence* of the Registers: But where the Journals speak of Substitutions *actually made* Above, no room is left for *Suspicion* that they were *not* made there; nor can any reason be assign'd why they should be *made* and *enter'd* there, besides a persuasion in the Clergy of those times, that of themselves they had no *Power* to make such Substitutions.

But to descend to the Particulars:

1. In some of the Instances which speak of a *Sub-Prolocutor* in the Lower House, we Want the Registers of the Upper. *Anno 1586. Nov. 23.* the Dean of *Lichfield*, and *Dec. 2.* D. Goodman, are said to Intimate the Continuations *Nomine Domini Prolocutoris*. The Writer of the late Paper observes upon these, that a good *Abridgement of the Contemporary Registers of the Upper*

Instances, where we want the Registers of the Upper House, of no force.

per House, &c. mentions nothing of the Archbishop's Approving either of these Substitutions.

This *Abridgment* has been very differently describ'd on that Side; and the *Designs* of those different Characters are obvious enough. When its mentioning no License was to be an Evidence *Rights. &c.* for D. Atterbury, that such *Licenses* in those
p 547.662. days were not thought necessary in order to *treat* or *debate* of Canons, it's reputation run high; it was a *good Abridgment of the Journals of the Upper House*, and not only so, but a *full and particular Abridgement, giving an account of the Acts, &c. day by day, and leaf by leaf.*

*Right of the
Archbishop,*
p. 101.

Afterwards, it hapn'd to be urg'd (in Concurrence with the Journals of the Clergy) against the Lower House and their *Intermediate* meetings; and the *fulness* and *goodness* of the *Abridgment* did evidently *Enforce* the Argument against that Claim. Upon this, it fell into *disgrace* with the Writer of the *Power of the Lower House, &c.* and presently shrunk into a *short Abstract or Index of the Bishops Journal.*
P. 13. c. 1

Of late, since this Question about *Substitutions* arose, it's Silence as to any *Confirmations* in the Upper House, was to make these two *Deputations* in 1586. the *Sole* effect of a Power in the Lower: Now therefore it has recovered its *former Credit*, and is restor'd to it's ancient Title of a *good Abridgment*, and is to keep it, so long as it continues in the Service of that Side.

In the mean time, what unsufferable *Shifting* and *Glossing* is this! To make the same Notes good and bad, a *short Abstract* and a *full Account*, now an *Index* and then a *particular Abridgement*; as the several Characters will help to disguise a defenceless cause. The truth is, this *Abridgment*

bridgment is little more than an *Index*; but specifying in about *twenty* Instances the *Days* on which the Sessions were, and those the same with the Sessions in the Lower House; so far they became a proper proof against *Intermediate Days*. But I think the silence of *Index's* or *Abridgments* so very *lean*, are not usually thought a proof, that this or that particular matter was not in the *original* Book. Not to observe, that the first of these two Instances which speak of a *Sub-Prolocutor*, hapn'd on a day when the Upper House did not meet, but the Convocation was Continu'd by *Commission*.

2. In other places where the Minutes of the Lower House speak of *Substitutions*, their Lordships Register is silent; and that *Silence* is the only argument pretended for their having no share therein.

Anno 1661. June 14. *Substitutus est Decanus Cicestrensis in locum Prolocutoris, durante absentia ejusdem.*

Anno 1662. May 5. *D. Franck nominatur & eligitur in Vice-Prolocutorem.*

At both these times we have the original Registers of the Upper House: But, 1. It happens that the business transacted there on both Days is enter'd in *gross*, *Reverendissimus* post aliquod *Traëctatum cum Confratribus Continuavit*, &c. and what *particulars* pass'd on either day, we cannot tell. 2. These Minutes don't say (any more than the Journal of 1586.) by *whom* or upon whose *Authority* these *Substitutions* were made. The Acts of 1586. speak of other Persons Continuing *nomine Prolocutoris*, and these Minutes speak of a Prolocutor's being *substituted*, and *nam'd*, and *chosen*; but *where* and in

The bare Silence of the Upper House Books of no authority against positive Evidence.

what manner these things were done, Whether in the Upper or the Lower House? by the Bishops and Clergy, or by the Clergy alone? neither the Acts nor Minutes have told us. We have therefore no way to come to any knowledge about the manner of making these, but by interpreting such general Expressions in accommodation to other Substitutions, the Circumstances whereof are more particularly express'd. Such is that of Archdeacon *Wolman* recited above: And such also, as to the present Case, are the two other Substitutions in the Upper House; the Entries thereof in the Register of that House being a Circumstance which sufficiently proves Application to have been made there; and that Application, is the thing we contend for, as necessary to enable a Substitute to Act.

The Precedent of 1640. particularly consider'd.

The only particular Entry upon the Lower House Books in any Convocation, is that of 1640. May 2. (repeated in short May 5.) *Die Sabbati, 2. Maii 1640. Dominus Prolocutor apud ejus aedes in Westm. me presente, constituit & ordinavit Doctorem Bargrave & Doctorem Nevil & eorum alterum conjunctim & divisim pro se & ejus nomine pro hac Sessione, ad legend. preces in Domo Inferiori, &c. & votum & Suffragium suum reddere pro Prorogatione prox. Sequent. &c. Et factâ declaratione Constitutionis hujusmodi Clero Domus Inferioris, Cleri eandem approbaverunt.*

Here, the dispute is not, whether this be an Authentick Precedent as it stands in the Minutes of 1640. We question not it's Authority, nor deny the Lower House any advantage that it will fairly Yield; but own (on the contrary) that in virtue hereof the Prolocutor's Proposal of the Person

Person or Persons, and the *Approbation* of the House, are both *Regular*. But the only question is (and I once more leave it to the decision of every Reader) Whether the mere *Silence* of the Upper House Register, be a sufficient Argument that their Lordships Confirmation is not *necessary* in such Substitutions? 'When this Silence can but amount at most to a *probable* proof that it was not given even in *that* Instance, 'When we have *clear* and *certain* testimonies of it's being desir'd and given in *other* Instances, 'When also no *account* is to be given of the *Application* to the Upper House in those Instances, besides a persuasion among the Clergy, that it was the *regular* way; and lastly, 'When the contrary is attended with so many absurdities, as 'That a Prolocutor who *himself* cannot act till he be confirm'd by the President and Bishops, should have Power to Commission *another* to Act without Confirmation, 'That a Person who is to be the common *Inter-nuncio* between the two Houses, shall not first be *approv'd* by both, That their Lordships, who are to receive the Sense of the House, and to return their Pleasure to the House by his Hands, shall neither have previous Notice that he is the real *Representative* and *Organ* of the House, nor any Assurance that the House will reckon their *Commands* (if convey'd by him) *obligatory* and *authentick*.

Notwithstanding these *Absurdities*, as well as the *positive* testimonies of *Application* to the Upper House; the Writer of the late Paper affirms in the name of the Majority, That they were thoroughly satisfy'd of their Right to depute a Prolocutor in such an Exigence as this, without acquainting his Grace and the Bishops at all with it.

The Paper
(Numb. 1.)
speaks against the
Sense of the
House.

But

But if he should be mistaken in the *Sense* of that side or in his own Opinion that they will be govern'd by his Notions; it will not be the *first* Instance of his reckoning too hastily upon their *implicit* Concurrence. While the Generality continu'd in the Dark, they were glad to put themselves under the first Guide they could find; but as new Light broke forth, and the *Constitution* and *Usages* of an *English* Synod came to be more clearly seen, the Scheme which had been laid by a *certain Author*, appear'd too *extravagant* for Practice; and he has had the Mortification to see his Principles tacitly dropt and disown'd by his very Friends, in a Refusal to act and *proceed* upon them.

So, upon this Head of *Substitutions*, the Writer of the late Paper proceeds all along upon a Power in the House *independent* on his Grace and the Bishops: And yet it is said (and he himself hints it) that a considerable Member on the same side declar'd openly, that they had no Intention to make a *common Referendary* without the Approbation of his Grace: which reduces the Point under Dispute, from that *absolute Exclusion* of the Cognizance of the Upper-house, to a Distinction between the Office of a *Prolocutor* and *Referendary*.

No difference between a *Prolocutor* and a *Referendary*.

According to all the Observations I have been able to make upon this *Office*, and the mention of it in the Registers, I could never see the least difference in the *Import* and *Meaning* of these two Terms. The *Prolocutor*, or (as the Acts before the Reformation more usually write it.) the *Prolocutor*, was the Person who spoke in the name of the Clergy, and reported to their Lordships their Resolutions and Answers, the whole

whole Body of the Clergy being all the while present. From hence he was call'd *Organum Cleri*; and as that was originally the only *Business* of the Office, so the Person executing it is most commonly mention'd under the single Name of *Prolocutor*.

His other Stile is *Referendarius*; the most natural Interpretation whereof, is the *Reporter* of the Sense or Resolutions of a Body; and so it is us'd in our Registers before the Application of it to a *Prolocutor*. Anno 1411. Dec. 2. The King's Commissioners come to the Convocation, and the Chancellor who was empower'd to speak for the rest, is call'd *Referendarius*: *Per dictum Dominum Referendarium devocius Supplicatum*; and again, *dicto Domino Referendario & Dominis temporalibus qui intrarunt, se paululum retrahentibus*. But that no Doubt may remain, whether this Name and that other of *Prolocutor* did imply the self same thing, the first formal Choice we find at the beginning of Convocation, was upon a Direction to the Clergy *Ut unum Referendarium sive Prælocutorem ex seipsis eligerent, qui vice eorum omnium & singulorum causas exponeret & responsa*. Anno 1425. Again, Anno 1536, they are order'd to chuse one of their Members in *Referendarium & Prolocutorem, qui eorum nomine loqui possit*. Anno 1562. *Ut eligant in eorum Prolocutorem sive Referendarium, &c.* and they present the Dean of St. Pauls in *Prolocutorem sive Referendarium Domus Inferioris electum*. — Anno 1586 and 1588, they have leave to proceed *ad Electionem futuri Prolocutoris*, only; and yet the Journal mentions the Presentation conjunctively under both Titles. Anno 1640, in both Convocations, they are

are directed to chuse *Virum, &c. in eorum Prolocutorem five Referendarium*; and at the *Presentation* upon both Choices the Register repeats the very same words.

But to shew that it makes no difference in the Language of Convocation, whether the Expression be *Prolocutor*, or *Prolocutor & Referendarius*, or *Prolocutor five Referendarius*; observe the promiscuous use of all the three in a Choice upon the *Promotion* of a *Prolocutor*, Anno 1661. Feb. 18. The Clergy are directed *ut unum, &c. eligant in eorum Prolocutorem & Referendarium*: They retire *ad effectum eligendi, &c. in eorum Prolocutorem five Referendarium*: They present Dr. Barwick in *Prolocutorem totius Cleri Domus Inferioris unanimiter Electum*: The President and his Brethren confirm him in *Prolocutorem five Referendarium*.

The Duties
belonging to
the Office of
Prolocutor,
are all annexed
to
that of Reporting.

We see then, the promiscuous Use of these two Terms is as ancient as the first Election of a *Prolocutor*; and upon what Authority they are now made two distinct Offices, I know not. 'Tis plain, that the *Reporting* (or in other words the being a *Referendary* and a *Speaker* at the Head of the Body) was originally intended in the Office, and the only thing imply'd in both the Names; and the Business of *Reading Prayers*, and being the *standing Moderator* in their Debates, came in afterwards, when they grew into a separate House. So that these were the Consequences of the *Referendary's Office*, and annexed to it, and lodg'd in the Person of the *Prolocutor*, as first chosen and confirm'd for the original End, that of *Reporting*. And therefore, at the beginning of Convocation, tho' his Grace actually direct the Choice of a *Prolocutor*, and

a Person accordingly be Elected in form by the Clergy, yet he is not thought capable either of *Moderating*, or *Reading Prayers*, till he be *Confirm'd* in the Office of *Prolocutor* or *Common Referendary*, and by Consequence in the other Offices *annext* to it. Which Confirmation it is, that puts the Clergy in a Capacity to Act as a *House*, and the whole Convocation to proceed to business, upon that former Establishment of a Correspondence between the two Houses. As therefore the *Prolocutor* is oblig'd to be always in *readiness* within the Synodical Hour to attend the Upper House and bring their Instructions to the Lower, so in Case of any *Inability* to pay such Attendance, it must certainly be his duty to give timely *notice* thereof to their *Lordships*; that either the *Sitting* of Convocation may be intermitted for the time, or (if business require) another Person may be chosen by the Clergy, and confirm'd by the President and Bishops, to put the Lower House in a condition to proceed, and to be for that Interval the *known Internuncio* between the two Houses.

One thing more I would observe upon this head, That if the appointment of a Person to *read Prayers*, and *moderate* their Debates in the Chair, and so to make them a *House*, be in the Power of the *Lower Clergy*; and if the sole concern of the Upper House be *afterwards* in the confirmation of a *Common Referendary*; all the complaints against the Government for not *suffering* them to become a *House* by the choice of such a Person, turn directly upon themselves. For it was in their *own* Power (upon this Principle) to become a *House* when they pleas'd, and not the less so for his Grace's Delaying the

Appointment of a *Common Referendary*. But in truth, since the Separation of the two Houses in their Debates, the title of *Prolocutor* has comprehended all the *Offices* of the Place, as the Confirmation of his Grace and the Bishops, has been ever thought to *Instate* him in the Office, and make the Lower Clergy a *House*, to act in a due *Subordination* to those their Superiors.

And this new division of the Office is evidently fram'd to Support the notion of their being a *Separate House*, and in a Condition to debate business of their own, *antecedent* to this Act and the Authority of their Lordships: Which being once allow'd, would quickly establish them in a *Co-ordinate State*, and open a way to any degrees of *Independence* they should hereafter please to insist on.

Additional

IV. *Additional Observations touching the AUTHORITY of the SUMMONS to Convocation.*

P. 189. The title of the Convocation of 1562. (as of others since the Act of Submission) runs thus: *Convocatio Prælatorum & Cleri Cantuar. Provinciæ inchoat. in Domo Capitulari Ecclesiæ Divi Pauli London, Auctoritate Brevis Regij Reverendissimo, &c. in hac parte directi, &c.* *The Authority of Summoning appli'd both to the King and the Archbishop.*

P. 1. App. The form of holding a Convocation, drawn by Archbishop Parker for that of 1562. begins thus: *Sciendum est quod omnes qui Auctoritate Reverendissimi Domini Archiepiscopi Cant. citantur ad comparandum coram eo in Domo Capitulari Ecclesiæ Cathedralis Divi Pauli London, &c.*

The Titles of our Convocations before and since the Reformation agree in the first Clause, *Convocatio Prælatorum & Cleri Cantuariensis Provinciæ*; which shews that by our Protestant Constitution they are no less an Ecclesiastical and Provincial Synod of Bishops and their Clergy under one common head the Metropolitan of the Province, than in the times of Popery they were. If therefore the Clergy (as has

been pleaded of late) be not *comprehended* in that Phrase *Convocationem Prelatorum & Cleri* in the form of Continuing, they are by the same rule no *Members* of an *English Convocation*.

But whereas the *Convocations* before the Reformation are generally said in the Title to be *Facta per Reverendissimum, &c. upon* the Submission Act the Style seems to have been chang'd, because the *first* title we have entire after that Act (this, I mean, of 1562.) makes the Convocation to be begun *Auctoritate Brevis Regij Reverendissimo &c. direct.* And yet we see that Archbishop Parker lookt upon the Convocation of that very Year to be *Cited* or *Summon'd, Auctoritate Reverendissimi, &c.*

Hereupon a question arises about the true meaning of the term *Authoritas*, as us'd in these titles and on some other Occasions : In what Sense the Bishops and Clergy are said to be Summon'd to Convocation by the *King's Authority*, and in what, by the Authority of the *Archbishop*?

The Archie-
piscopal
Summons
Autho-
ritative
before the
Act.

It is agreed on all hands, that before the Act of Submission, an *English Convocation* was Summon'd by the *Sole Authority* of the Metropolitan : Nor do we deny that Act to have been a considerable *Abridgment* of the *Liberties* of the Church in the matter of holding Synods, but only that it did not *so far* affect the Ecclesiastical Power as to change them into *Civil Meetings, i. e.* Meetings Summon'd and acting in virtue of that Summons, immediately upon a *Civil Authority*.

This

This *Civil* Summons and the *Authority* of it has been warmly asserted by two sorts of Persons, 1. By the *Papists*, who ever since the Reformation have taken the Advantage of that Act of *Submission* to asperse our Protestant Synods as *Civil* Meetings, and the *Canons* &c. made in them as of a *Secular* Original. 2. By some late Opposers of the Metropolitan and Episcopal Authority in Convocation: One of whom forms this New and very Uncanonical Scheme of *Summoning* and *Holding* Synods, upon that Expression in the *Submission-Act*.

The Civil Summons, an argument of the Papists against our Reformation.

The Authority by which the Convocation meets, is now purely Royal: The words of the Act are express in the case — which shall always be assembled by *Authority* of the King's Writ. —

Power of the Lower House. p. 3. c. 1.

— So that since this Statute, the Archbishop's share in Convening them is not Authoritative but Ministerial. And when therefore, he frames his *Mandate* upon the King's Writ, he does it as the King's Instrument only, and the proper Officer who is to execute the *Royal Summons*. — The Argument arising from hence is, that his Grace has now no Authority to Convene the Body of the Clergy.

Again, An *English Metropolitan*, Presiding over a *Synod*, &c. call'd together not any way by his, but purely by Royal Authority. And in another place, *The Convocation* Subsists by the King's Writ.

Ibid. p. 17. c. 1. 2. Ibid. p. 20. c. 2.

Let the most virulent Adversary of this Protestant Church, frame (if he can) a description of its *Synodical Meetings*, that shall be a deeper Reproach to our happy Reformation.

Against the first sort of Adversaries, the *Papists* (and *Protestants*, one would think, should

be

be as easily answer'd,) a full Vindication of our Reform'd Church has been built upon the *Genuine meaning* of the Act of Submission interpreted according to the true *Intent* thereof, and the antecedent and subsequent Practice, with other Circumstances; all which we have been forc'd more particularly to Urge and enforce of *late*, to defend the honour of our Constitution against the *Second* sort of Adversaries also. As,

The intent of the Statute, no more than to restrain the Archbishop from exerting his Authority without the Royal Licence.

That the Crown did not *want* the Assistance of any Act, to have a Convocation at pleasure; because the Right of *enjoyning* the Archbishop to Summon it in due form as our Princes saw Occasion, was always thought a Power *Inherent* in the Crown, and was all along practis'd in *England*, both before and since the Reformation; and is indeed a Right belonging to Christian Princes in general.

But till the Act of Submission, the *Archbishop* also had a Power of Summoning Convocations (according to the Exigencies of the Church) *without* the permission or direction of the Royal Writ.

And King *Henry VIII.* apprehending that the Archbishop, Bishops, and Clergy in Convocation might protest against or obstruct his Measures of Reformation, got a sufficient Security against that danger, by making himself (in virtue of that Act) the *Sole* Judge when a Convocation should be Summon'd.

As the King neither *gain'd* nor *wanted* more than this; so nothing was *taken* from the Archbishop but the ancient Right of Exerting his Summoning Authority AT PLEASURE; the *Authority* it self remaining Entire, and as *full* and *effectual* as ever, when that *Restraint* is taken off.

The

The Power which the King gain'd, and the Archbishop lost, is express'd by the Statute in the word **Always** — *Which shall Always be assembled by Authority of the King's Writ.* Before that Statute, the Convocation had been sometimes call'd at the *sole Motion and Pleasure* of the Archbishop, and sometimes upon the *Royal Writ*; but *since*, the Archbishop is confin'd to wait for the Direction of the *Royal Writ*.

The Intention therefore of directing the Royal Writ to the Archbishop, is twofold. 1. To signify the Pleasure of the Prince, that at that particular time his Grace shall exert the *Summoning-Authority* inherent in his See; as it has been *ever* exerted at the Command of the Kings of England. 2. To be a *legal Discharge* from the Restraint of this Statute, and a Security against the Penalties of *Summoning without* the Royal License.

For that the word *Authority*, as it stands in the Act, was intended for no more than a *Leave* or *License* to Summon, is evident from the very *Submission* (upon which the Act was immediately founded:) — *We will never from henceforth, &c. unless your Higbness by your Royal Assent shall* **License** *us to assemble our Convocation.* — And from the *Dedication* of the Clergy to the King, prefixt to the *Institution* of a *Christian Man.* — *Without your Majesty's Power and* **License** *we acknowledge and confess that we have not Authority to assemble together for any Pretence or Purpose, &c.* And lastly, from the *Stile* given to the *Royal-Writ* by Queen Elizabeth. — *Cum Nos, &c. Archiepiscopo mandaverimus, eidemque* **Licentiam** *Concesserimus*

The word Authority in the Statute only implies a leave or License.

mus quòd Convocari faceret singulos Episcopos, &c.

As therefore the Bishops and Clergy in Convocation, apprehensive of the Penalties of the Statute, have taken care to use the very *Expression* of it, with Reference to the Royal-Writ; so that Expression being directly taken from the Statute, is of course to be interpreted according to the *Extent* and *Meaning* thereof.

The Archbishop's
Summons
Authoritative, from
the Stile of
the Mandate and
Returns.

The *Methods* of Summoning, *antecedent* and *subsequent* to that Statute, are a clear Argument that the Archbishop's *Authority* therein remain'd entire. That all his Summons *before* it (tho' issu'd upon a *Royal Writ*, and *that* expressly recited in the Mandate) were yet *Authoritative*, is not deny'd: And if this Act of Submission had been intended to change the Archiepiscopal Summons into a *Ministerial* Office, -it would have given Directions for changing the *Authoritative* into a *Ministerial* Stile; at least such a Change must of course have been made. But no such Alteration appears either in the *Mandate* or the Dean of the Province's *Certificate* of the Execution.

The Writ comes to the Archbishop (for it can be directed to none else) in the same *Stile* and *Manner*, as before the Statute it did; and is now no otherwise inserted in the *Archiepiscopal* Mandate than was usual *before* the Reformation. The Archbishop, directing that Mandate to the Dean of the Province, goes on, *Breve Regis, &c. recepimus in hæc verba.* — After a recital of the Writ, he proceeds, *Quocirca* (*i.e.* having receiv'd this Royal Permission and Direction to exert the *Summoning-Power* inherent in the See) *Fraternitati vestra* COMMITTIMUS & MANDAMUS

DAMUS — VOLUMUS & MANDAMUS — INFUNGIMUS & MANDAMUS. — All exprefs Terms of *Authority*, in his Grace's own Name, and under the *Archiepiscopal* Seal.

Accordingly the Dean of the Province's *Certificatorium* or *Return* declares his Execution of every particular Branch thereof to have been in *Virtue* and by *Authority* of his Grace's Mandate: *Literas vestras Reverendissimas Citatorias & Monitoriales jam dudum nobis sub sigillo vestro directas, cum cā quā decuit Reverentiā humiliter recepimus; Quarum literarum VI-GORE pariter & AUTORITATE — AU-TORITATE & per receptionem Literarum vestrarum — juxta VIM, FORMAM, & EF-FECTUM earundem — secundum FORMAM & TENOREM Literarum Vestrarum.*

In like manner the *Returns* of all the other *Suffragans* are made *immediately* to his Grace, and *ultimately* lodg'd (where they ever were *before* the Submission-Act) in the Registry of the *Archiepiscopal* See: Whereas all Executions by the King's Authority, are returnable of course into the Offices belonging to the Crown.

This Point (of the Metropolitan's *Authoritative-Summons*) has been more largely prov'd and explain'd elsewhere: But the contrary Doctrin of its being *Ministerial*, is attended with Consequences so very dishonourable to our Reform'd Church, that I could not leave the Reader under any Danger of being misled into that Opinion by this *general Expression* of the Statute, transcrib'd from thence into the *Titles* of our *Acts*, and into some of the *Instruments* of Convocation. For if that new Notion were

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true,

Right of the
Archbishop,
p. 9. *Eccl.*
Hist. of Con.
p. 14.

true, the Proceedings of Convocation would be so far from agreeing to the Principles of an *Episcopal* Church, that they would not be the Proceedings of any *Church* at all. The *Ecclesiastical Power* must then be swallow'd up in the *Civil*; and the Methods of Proceeding would not be influenc'd by the ancient Synodical Rules, or the Distinction of Bishops and Presbyters, but founded entirely upon a Model fram'd and establish'd by the *State*.

Enough (I think) has been said *to expose* and *overthrow* that Uncanonical Scheme; but because it is come in my way, I will take the Opportunity of adding an Observation or two:

1. That at the *Opening* of Convocations, as well *since* as *before* the Act of Submission, the *first* step in certifying the due *Execution* of the Summons, has been the Exhibiting and Reading the Dean of the Province's *Certificatorium* or *Return*, directed to the Metropolitan alone; in pursuance of whose *Command* and *Authority* every particular (as we have seen) is said to be duly executed. Nor has any more Notice been taken of the *Royal-Writ*, than as 'tis recited in the Archiepiscopal Mandate, just as it was before the Statute at the *Opening* of all Convocations which were Summon'd upon the *Writ*.

2. The *Contumacy* pronounc'd thereupon is meerly for not attending according to the *Tenor* of his Grace's *Mandates* to the several Bishops, with their Lordships *Certificates* to his Grace of the due Execution; and the *Censures* for Absence being all purely Canonical, shew them to be inflicted for an Act of Disobedience to the *Authority* of their Canonical Superior.

3. Cardinal

3. Cardinal Pool held a Convocation in the Year 1557, the latter end of Queen Mary's Reign; and the Title of it is *Convocatio sine Sacra Synodus Convocata auctoritate Brevis Regis Philippi & Mariæ, &c.* Now, 'tis not to be imagin'd that either the *Queen* or the *Cardinal* (so remarkably tender of the *Privileges* and *Immunities* of the Church) would have given way to a Convocation upon that Foot, had it been the Opinion of those Times that the **Au-
thority** of the *Royal Writ* destroy'd that *Autho-
ritative Summons* which the Archbishops before the Reformation had always exercis'd.

The same Convocation is said in the Extracts out of the Upper-house Books to be *Soluta per mortem Regina Mariæ*; as we find afterwards (*Anno 1624.*) that the Convocation was dissolv'd by the *Death* of King James the First.

The Case of the Convocation's being Dissolved by the Death of the Prince.

On the contrary, before the Reformation, *Anno 1412.* we find that Archbishop *Arunzel* summon'd a Convocation in Obedience to the King's Writ; and yet it was continu'd for some time after the *Death* of Henry the Fourth. Again, *Anno 1460.* Archbishop *Bourchier* issu'd his Summons in a like Obedience to the Royal Writ; but the same Convocation, not expiring with the *Death* of Henry the Sixth, continu'd in the Reign of *Edward* the Fourth.

The difference in this Matter, before and since the Reformation, naturally arises from the foregoing Construction of the *Submission-Act*. Before that was made, the Archbishop had a Right to hold Convocations independent of the Prince, and was by consequence under no Obligation to discontinue them upon the *Death* or *Demise* of

the Prince: He was bound to obey the Royal Writ (as oft as it was sent him) by exerting the Summoning-Authority according to the Tenor thereof; but he was not absolutely confin'd to wait for and receive such Writ, in order to Summon or Hold; nor was a Convocation, holden by the Archbishop independent of the King, an illegal Assembly by the Laws then in being.

But by the Statute of Submission, interpreted in its most genuine Meaning, an *absolute Restraint* is laid upon the Archbishop from holding his Convocation, unless authoriz'd so to do by the Royal Writ. By this means, any such Meeting of the Bishops and Clergy, holden by the Archbishop *without* such Writ, is become an *illegal* Assembly. Now the *Force* of the Writ (directed to the Archbishop to take off the Restraint laid upon him by the Statute) must *cease* and *expire* with the Prince, in whose *Name* and under whose *Seal* it was issu'd: And when that happens, the Archbishop is by Law reduc'd to the same *Inability* to hold a Convocation, as he was under *before* the Reception of such Writ.

A Dissolution by the King's Death, no Prejudice to the Archbishop's Authority.

That therefore a Convocation dies in Law with the Prince, resolves wholly into that *Incapacity* which is acknowledg'd both in this Section and elsewhere to be laid upon the Ecclesiastical Power by the *Statute* of Submission. And so the most that such a Dissolution can infer, is, that the Archbishop is now incapable in Law to hold a Convocation, unless authoriz'd by the King's Writ to hold it, or (in other words) that *without* the Force and Warrant of such Writ he cannot *now* (as *before* the Statute he could) give *Subsistence* to a Convocation. But to argue from hence,

[*hence* ; That the Convocation *subsists* by the sole Authority of the Crown, and that the *Authority* of the Archbishop is wholly lost, and so his share in summoning and holding is purely *Ministerial* ; these Inferences are a direct *Violence* to the Statute, such as one would naturally expect from some Advocate of an *Erastian-Church*, or a declar'd Enemy to our *Reformation*, but 'tis strange to see a profess'd *Member*, and which is more, a *Minister* of our Reform'd Church, *wresting* the Statute into a Sense so very injurious to her *Liberty* and her *Honour*.

The Statute, as it lodges in the Civil Power the sole Right of judging *when* our Synods shall be held, is an Abridgment of the *Liberties* of the Church ; and we must be content : But let us bless God, that the *Power of the Church* is not so affected either by this or any other Statute, but that the Metropolitans of both Provinces have a Right (after the Writ has given them the Liberty of exerting their Power) first to Summon their Convocations in an *Authoritative* or *Canonical* way, and then to hold them by the ancient *Ecclesiastical* Rules. A Blessing, for which they are very ungrateful, who can so much delight in saying and even *pleading* that the Convocation *subsists by the Royal Writ*, exclusive of the *Archiepiscopal* Authority ; when the Dean of the Province's *Certificatorium* or *Return* (with the exhibiting whereof the Convocation properly opens) declares and recognizes in every particular the *immediate Authority* by which they assemble.

I have before repeated some of the Terms, in which that Instrument recognizes the *Archiepiscopal Authority* ; but for a more full Satisfacti-

The Archiepiscopal Authority directly recogniz'd in the Dean of the Province's Certificatorium.

on to the Reader, I will here subjoin it at large.

R Everendissimo in Christo Patri ac Domino Domino Thomæ Providentia Divina Cantuar. Archiepiscopo, totius Angliæ Primati & Metropolitano, vestro in hac parte Locum tenenti sive Commissario vel Commissariis, Henricus permissione Divina London Episcopus omnimodam Reverentiam & Obedientiam tanto Reverendissimo Patri debitam cum Honore : **L**iteras vestras Reverendissimas Citatorias & Monitoriales, jamdudum Nobis sub sigillo vestro directas. cum ea qua decuit Reverentia humiliter recepimus exequend. sub tenore verborum sequentium, videl. Thomas Providentia Divina, &c. See the Form of the Mandate, p. 9, 57. **Q**uorum quidem **L**iterarum vigoze pariter & auctoritate, Nos præfatus Henricus London. Episcopus, omnes & singulos Confratres nostros Co-Episcopos Ecclesiæ vestræ Christi Cant. constitutos, peremptorie citari & præmoneri, ac per eos Decanos Ecclesiarum Cathedralium & Collegiatarum, & singula Capitula earundem, Archidiaconosque, & alios Ecclesiarum Prælatos Exemptos & non Exemptos, Clerumque cujuslibet Diac. Provinciæ vestræ Cantuar. antedictæ peremptorie citari & præmoneri respectively fecimus ; Quod iidem Episcopi, Decani, &c. compareant coram **P**eternitate vestra Reverendissima aut vestro in hac parte Locum tenente sive Commissario vel Commissariis die & loco in eisdem vestris **L**iteris Reverendissimis plenius specificat. & designat. cum Continuatione & Prorogatione dierum extunc sequentium & locorum, si & quatenus expediat : Ad tractandum super arduis & urgentibus

urgentibus negotiis, &c. [ut prius in Mandato.]
Uteriusque, Auctoritate & per Receptionem
Literarum Vestrarum Reverendissimarum Ci-
totoziarum & Monitorialium predictarum,
fatemur Nos Henricum London. Episcopum an-
tedictum peremptorie fore & esse citatum ad
comparendum coram vestra Reverendissi-
ma Paternitate aut vestro in hac parte Locum
tenente sive Commissario vel Commissariis hujus-
modi, die & loco precatatis de & super Negotiis
memoratis tractatur. Et nos iisdem Literis ve-
stris Reverendissimis hujusmodi juxta vim,
formam, tenorem, & effectum eorundem
debite parebimus. Intimavimus insuper & de-
nuntiavimus, & intimari & denuntiari fecimus
dictæ Provincia vestre Cantuar. Co-episcopis, &c.
quod eos a personali comparitione in hujus-
modi negotio Convocationis & Congregationis di-
ctis die & loco, ut præmittitur, divina favente
clementia, excusatos Reverendissima vestra
Paternitas non habere intendit ista vice nisi
ex causa necessaria tunc & ibidem alleganda &
proponend. & per Paternitatem vestram Reve-
rendissimam approband. sed eorum contumacias
qui absentes fuerint canonice punire. Et sic
Literas vestras Reverendissimas antedictas
quatenus ad Nos attinet & in nobis est fuimus
Executi. *Dat. in Palatio nostro apud London.*
ultimo die mensis Januarij Anno Domini (stylo
Angliæ) millesimo septingentesimo, nostreque
translationis vicesimo sexto.

If this Instrument (the Exhibiting and Read-
 ing whereof opens the Convocation) be not a
 pl in Declaration of the Authority by which it is
 immediately summon'd, and subsists, I know not

where

where Words will be found to *declare* or *express* it. Nor can I conceive, either how the issuing a Mandate in the *Name* and under the *Hand* and *Seal* of the Archbishop, or the certifying to his Grace an *Execution* in *Virtue* and by the *Authority* of his Mandate, can consist with the late Notion of his Grace's issuing that Mandate in a meer *Ministerial* way.

V. *Observations.*

V. *Observations upon the Table of Fees, and the Catalogue of Members, prefixt to the Registers of Convocation.*

AT the beginning of the *Upper-house* Registers, we generally find a Catalogue of Fees due to the *Officers* in Convocation from the Members of each House, according to their several Degrees and *Stations*. Which Catalogue is Copy'd, word for word, from a larger Table sign'd and establisht by Archbishop *Whitgift*, containing the Fees due to the Officers of his Grace's Courts, for every particular Business to be executed therein. The Title of the Table is as follows:

A Table of Fees of the most Reverend Father in God, John, by the Providence of God Archbishop of Canterbury, Primate and Metropolitan of all England, his Grace's Chancellor, Vicar-General, Register-Principal, Apparitor-General, and other Ministers.

F f

Among

Observations upon

Among these, the several *Officers* in Convocation, belonging to the *Lower* as well as the *Upper-house*, have their Fees assign'd (as Members of his Grace's Court) according to the Proportions which Archbishop *Whitgift* found to be their customary Allowance.

The part of that Table which relates to *Convocation*, and is therefore usually transcrib'd into the Registers thereof, is as follows:

¶ Feoda Solvenda Registrario Primario, & Apparitori Generali Domini Archiepiscopi Cant. in Convocatione Provincia Cant. juxta antiquum morem ejusdem Convocationis.

	Registrario.	
Inprimis, Quilibet Episcopus Provinc. Cant. solvit Registrario predicto,	s.	d.
Et si absens fuerit toto, ———	6	8
Item, Quilibet Decanus comparens per Procuratorem, ———	13	4
Item, Quilibet Archidiaconus comparens per Procuratorem solvit ———	5	0
Item, Procurator cujuslibet Capituli solvit ———	5	0
Item, Quilibet Procurator Cleri solvit xx d. viz. duo Procuratores, ———	3	4
	Apparitori.	
Item, Quilibet Episcopus solvit Apparitori, ———	6	8

Similia Feoda solvenda sunt qualibet Sessione, cum Convocatio prorogetur autoritate Brevis Regij.

¶ Feoda

The Table of Fees.

303

¶ Feoda *Actuario* Domus Inferioris Convocationis solvend. Actuario.

	<i>s. d.</i>
Inprimis, <i>Quilibet Decanus solvit</i> ———	2 8
Item, <i>Quilibet Archidiaconus</i> , ———	1 8
Item, <i>Quilibet Procurator Capituli</i> , ———	1 8
Item, <i>Quilibet Procurator Cleri</i> , ———	1 4

¶ *Ostiaro* Domus Inferioris.

Ostiaro.

Inprimis, <i>Quilibet Decanus solvit</i> ———	1 4
Item, <i>Quilibet Archidiaconus</i> , ———	1 0
Item, <i>Quilibet Procurator Capituli</i> , ———	1 0
Item, <i>Quilibet Procurator Cleri</i> , ———	0 8

1. These Particulars, as rankt among the Fees *Observations upon the Table of Fees.* for the Office of Vicar-General, and usually enter'd at the beginning of the Journals of each House, shew all the *Officers* of Convocation to be under the immediate *Jurisdiction* of the Archbishop and *Members* of his Court.

2. We may observe also, that in the Provision made for the Appearance of a *Dean* or *Archdeacon* by Proxy, the Fee for exhibiting the Instruments is directly assign'd to the *Archbishop's* Register, as it is the sole Right of his Grace to admit, and by consequence of his proper Officer to receive them.

3. Provision being only made for exhibiting the *Procuratorial Letters* of the Cathedral and Diocesan Proctors, and none for *Proxies* in case of their Absence; 'tis plain, that in those days none was thought to have a Right of *substituting his Proxy*, but who had a Right to be *Personally Cited*, viz. Bishops, Deans, and Archdeacons.

F f 2

II. The

The Catalogues of the Members of Convocation.

II. The Table of Fees is usually follow'd by a Catalogue of the Members; to which the General Title of the Convocation is prefixt: The Title of that in 1640, is as follows:

Convocatio Prælatorum & Cleri Cantuar. Provincia, inchoata in Domo Capitulari Ecclesiæ Cathedralis Sancti Pauli London. autoritate Brevis Regij Reverendissimo in Christo Patri ac fideli Consiliario suo Domino Gulielmo Providentiâ Divinâ Cantuariensi Archiepiscopo, totius Angliæ Primati & Metropolitano in hac parte direct. inchoata die Martis, decimo quarto, viz. die mensis Aprilis, Anno Domini millesimo sexcentesimo quadragesimo, Regniq̃ue Serenissimi in Christo Principis & Domini nostri Domini Caroli Dei Gratiâ Angliæ, Scotiæ, Franciæ, & Hiberniæ Regis Fidei Defensoris, &c. Anno decimo sexto.

The same Title, with the necessary Variations as to Time, &c. is also put before the Register of 1661. After which, in both the Convocations, the Members of the Upper-house are severally enter'd under the following Head:

Nomina Reverendorum Patrum Episcoporum modernorum Cant. Provincia, citatorum & monitorum ad comparandum in Convocatione prædictâ.

And after them, come the Members of the Lower-house, according to their several Churches, Dioceses, and respective Stations therein, under this Title:

Nomina citatorum ad comparandum in Inferiore Domo Convocationis Prælatorum & Cleri Cant. Provincia, inchoat. die & loco prædict.

Observations upon the Catalogues.

Upon the foregoing Account of these Introductions to the Upper-house Acts, I observe,

I. That

1. That this Entry of the *Inferior Clergy* (together with the Bishops) in the Books of the *Upper-house*, is the Consequence of that *House's* being properly the *Locus Synodi*, and of the Convocation's being *one* Body consisting of *Bishops* and *Presbyters* as the Members, and assembled under one common *Head* or *President*, the Metropolitan of the Province. It further implies a Right in the Archbishop to take Cognizance of the Members of the Lower-house as to their *Attendance* in Convocation: For why else should the *Names* of the *Persons cited* upon the Archbishop's Mandate, be so distinctly enter'd in the Registers of the *Upper-house*?

Vid. Supr.
Cap. 2.

2. The *whole Convocation* is not only express'd in general under the Name *Convocatio Prælatorum & Cleri Cantuariensis Provinciæ*, but the Lower-house in particular, as a *Member* thereof, is stil'd *Domus Inferior Convocationis Prælatorum & Cleri Cant. Provinciæ*. Upon what ground therefore it can be pretended, that the Lower-house is not included in a Schedule of *Continuation* running in the self same Terms, is to me very unaccountable.

3. As in the Years 1640. and 1661. the *English Clergy* in general were remarkably zealous for the *Rights of the Church*; so many of the Members in the two Convocations, were some of the most *eminent Assertors* of those Rights, that our Church or Nation has known. Not to mention more, we find,

Anno 1640. in the *Upper-house*, Archbishop Laud, with the Bishops, Fuxon, Wren, Davenant, Mountague, Duppa, Warner, &c. In the Lower, we meet with Dr Lancy, Peitter, Bretonrig, Frewen, Heylin, Sheldon, Fell, Hammond, Steward,

Steward, with many others, distinguished soon after by their eminent *Sufferings* in Defence of the *Rights* and *Discipline* of the Church.

Anno 1661. in the Upper-house, Archbishop *Juxon*, and the Bishops *Sheldon*, *Wren*, *Duppa*, *Sanderfon*, *Henchman*, *Morley*, *Warner*, *Laney*, &c. In the Lower, Dr. *Gunning*, *Earl*, *Sudbury*, *Pearson*, *Fell*, *Dolben*, *Thorndike*, *Lamplugh*, *Oliver*, *Ward*, *Sparrow*, *Blanford*, *Fleetwood*, &c.

It will not (I hope) be said, much less believ'd, That the Members of these two Convocations did not *understand* and *pursue* the true Interests of the Church, or that they either knew not or did not *regard* the established Methods of Proceeding in an *English* Convocation. Nor do the *Characters* of the Members in each House suffer us to imagine either that the *Bishops* were in the least Disposition to *Invalidate* the Liberties of the Clergy, or (if they had) that the Clergy would have given way to any *Violation* of the Rights of their Order, and the Privileges of their House.

It has been the Care of our *present* Prelates, to govern their Proceedings by the Practice of *former* times, and particularly of such Convocations as had before them the Registers now consum'd, and consisted of Members so deservedly celebrated among us for a strict Regard to the *Interest*, the *Rights*, and *Discipline* of the Church. It may therefore be justly expected, that the Persons who on account of these Proceedings have so freely charg'd my Lords the Bishops with Designs of subverting the Church and oppressing the Clergy, that they (I say) should produce the *Instances* in which their Lordships have deviated from the Example of those their
Prede-

Predecessors, whose Affection to the Church and Clergy was never question'd, till struck at in some late Censures of our present Prelates for *imitating* them in the *Canonical* Method of holding a Convocation. Nor can they of the Lower-house, who desire to act in a dutiful Subordination to their Ecclesiastical Superiors, be liable to any Censures for this their Submission, which will not equally make those Learned and Orthodox Presbyters in 1640 and 1661, the Betrayers of the Rights of their Order, whether through Negligence or mean Compliances for Secular Ends.

4. If it be objected against the Authority of the Register of 1661, that the disuse of Convocations during the Civil-Wars might make the Clergy less acquainted with the true Methods of *holding* them, the Answer is obvious; That they had *then* the Direction of all the Registers entire, and appear in Fact to have follow'd the Methods in 1640, as that (without doubt) proceeded by the Pattern of *former* Convocations. Add to this, That several of the Persons in 1661 had been Members also in the Convocation of 1640, and must therefore be presum'd to have a sufficient Knowledge of the *Manner* of Proceeding. By comparing the Lists of these two Convocations, I find (besides the Archbishop) that six of the Bishops (*Duppa, Pierce, Wren, Warner, Roberts, and Skinner*) were Members of the *Upper-house* in both; and four more, *viz. Sheldon, Floyd, Griffith, and Ironside* (advanc'd to the Dignity of Bishops at the Restoration) to have been Members of the *Lower-house* in 1640. And as to the *Lower-house* it self, Dr. Oliver, Fleetwood, Rives, Bailly, with several others,

thers, at least twenty in all, appear to have been Members thereof in *both* these Convocations of 1640 and 1661. and (suppose all former Registers to have been *lost*, as they *then* remain'd entire) it would not be suggested that in 1661 these ancient Members were either *unable* to direct their Brethren, or *willing* to mislead them.

F I N I S.



A N

I N D E X

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Prolocutorem ad se accerfiri, Fecit ad se ac-
cerfiri, Jussit Prolocutorem coram se & Con-
fratribus suis vocari, — Nunciatum fuit
Domino Prolocutori de voluntate Reverendis-
simi, &c. quod ad se accederet, &c.] 18, 21,
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IN the Catalogue of *Convocation Acts*, add, 1st. (after the Year 1380.) 1382 — Nov. 18. — *Courtney* fol. 33. a. — 2ly. At the Year 1554. add, The Acts of the Upper House are Enter'd in Bishop Bonner's Register. — 3ly. At the Year 1562. add, A fragment of the Proceedings in the Lower House (Febr. 13. 1562.) is in the hands of Mr. Petyt. — 4ly. Concerning the Index in Dr. Atterbury's hands, it is to be observ'd, that the few passages Cited in this Book, are immediately taken out of a late *Extract* from thence of such things as concern the present Controversy.

[Pag. 34.] After the Sentence of *Contumacy* by Archbishop Chichele, add, But a much elder than this, is enter'd in the Register of Archbishop Courtney, Anno 1391. — Dominus contra [Absentes] sub hac Formâ processit — Nos Willelmus permissiōe Divina Cantuariensis Archiepiscopus, totius Angliæ Primas, & Apostolica Sedis Legatus, &c. omnes & singulos — ad præsens Concilium nostrum legitimè & peremptoriè citatos, præconizatos, & diucius expectatos & non comparentes, reputamus & pronunciamus Contumaces, & in penam Contumaciarum suarum hujusmodi Decernimus, Declaramus [&] Pronunciamus omnia & singula, in præsenti Concilio habita atque facta, suum debitum sortiri debere effectum, ipsorum Contumacijs in aliquo non obstantibus in hac parte; penam aliam Canonicam

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nicam eis & eorum singulis infligendam Nobis seu Commissario nostro quem ad id duxerimus deputandum, nihilominus specialiter Reservantes.

[Pag. 47. lin. 23.] *Panâ sibi reservatâ* is not the *express language* of the *present Schedule*; but sufficiently appears to be the meaning of it, both from the frequent mention, in the *Registers*, of such *Reservations* to the Archbishop singly, and the no less frequent *Inflitions* of such Canonical Punishment upon the *Lower Clergy*; and that by the President, without any interposition or concurrence of the Bishops or Clergy.

[Pag. 53. lin. 16.] Add, To which purpose, the Extracts out of the *Upper House Books*, (*Anno 1541.*) conclude with the following Note,

‘Memorandum, in fine Libri inseruntur Constitutiones, & *Substitutiones* in Convocatione prædictâ ex Licentiâ Reverendissimi; ubi habentur Scripta diversarum *Absolutionum* eorum qui Absentes erant.

[Pag. 61. lin. 19.] for *Suspend*, read *Supersede*.

[Pag. 183. lin. 12.] To the Chapter Of the *manner of Passing Business in Convocation*, add, And even in *Canons*, and all other matters Passing by *Subscription*, the Metropolitan’s ancient Authority remains thus far entire, that without his Concurrence, the Agreement of all the rest is not the *Act of Convocation*, nor can be presented as such to the Prince for his Royal *Confirmation*.

[Pag. 186. lin. 12.] For 1434. read 1534.

[App. p. 131.] For 1686 and 1688. read 1586, and 1588.

[Pag. 233. lin. antepen.] I am since assur’d, That in *York-Province*, the *Archbishop* or his *Commissary* always *Sign* the Instrument of Continuation after Reading.

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[Pag. 295. lin. 8.] Read *their Church*. — lin. 13. add, They knew the Kings of *England* had often directed their Writs to the Archbishop before the Act of Submission was thought of, and were as constantly obey'd: And the Writ being an immediate Direction to the Archbishop, and not to any particular Member of Convocation, they were so far from thinking that a Summons upon the *Authority* of such Writ destroy'd his Grace's *authoritative* Summons, that we see they use the Term even while the Act was repeal'd, and they were by consequence under no Obligation to use it.

☞ Throughout the Book, wherever mention is made of the *Last Convocation*, 'tis to be understood of that which began *Febr. 10. 1703*, wherein these unhappy *Differences* between the two Houses first arose.

P. 138. l. 32. read *Domum Superiorem*. P. 165.
l. 1. read *de uniendis parvis Beneficiis*. P. 169.
l. 1. read *Not but*. P. 228. l. 13. for *Julius XI.*
read *Julius II.*

